



5-1
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: PLANNING COMMISSION

FROM: MIKE WULKAN, SENIOR PLANNER

DATE: APRIL 28, 2005

SUBJECT: CONTINUED HEARING: RANDALL DENNIS MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT, DRC2003-00032

This item was continued from the January 27, 2005 Planning Commission meeting. On that date, the Planning Commission held a public hearing and took testimony on the proposed project. At the hearing, the Commission continued the hearing to April 28, 2005 in order to allow for additional consideration of the project by the Cayucos Citizens Advisory Council as a formal agenda item. In addition, the Commission requested that a review be conducted of the civil engineer's report regarding the structural integrity of the existing Cass barn. Please refer to the January 27, 2005 staff report (see attachment).

Revised Project

Following the January 27, 2005 Planning Commission hearing, the application for a Variance to the required side setbacks was withdrawn at the request of the applicant (see attached letters from the applicant and responses from staff). Therefore, only the Minor Use Permit/Coastal Development Permit application to demolish the existing Cass barn and develop a single-family residence is now before the Planning Commission. The attached recommended findings and conditions in Exhibits A and B, respectively, have been revised accordingly.

The applicant has also revised the design of the proposed residence by eliminating the recessed deck that was to be cut into the roofline on the elevation that faces the Cass house. This change was previously recommended by staff so that the design would be more consistent with the original look of the Cass barn, and so that the deck would not detract from the overall appearance and make-up of the "Cass complex" of buildings. A complete set of revised plans is attached. In addition, the conditions of approval in attached Exhibit B have been revised accordingly.

Advisory Council Recommendation

The Land Use Committee of the Cayucos Citizens Advisory Council considered the revised project (without the requested Variance) at two meetings, and the full Advisory Council considered the project at its April 6 meeting. Staff's understanding is that at that meeting, the Advisory Council did not recommend in favor of the proposed project. The Council's major concern was the size of the chimney chase/cupola that exceeds the normal 28-foot height limit (according to the Coastal Zone Land Use Ordinance, chimneys may exceed the height limit by three feet). Staff has not yet received a report from the Advisory Council, but will forward it to the Planning Commission at or before the April 28 hearing.

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Review of Engineer's Report

On February 23, 2005, the Building Division's Supervising Plans Examiner and Building Inspector for the coastal portion of the county inspected the existing Cass barn. The inspection confirmed the key observations and conclusions of the civil engineer's report (Charles Moore, November 9, 2004; see attached), as follows:

- The roof no longer protects the building (up to about one foot of standing water was observed inside the barn)
- There is extensive dry rot of the wood, and the lower sections of walls appeared to be unstable due to dry rot
- Many structural members have been spliced
- Structural members are too small for the spans
- The posts are too tall and slender to support roof loads
- Connections are substandard and mostly rusted-through
- Materials are inadequate to meet current code requirements for construction of a single family dwelling

The civil engineer's report concluded that there are no salvageable materials, but Building Division staff found that portions of the siding might be salvageable.

Based on the preceding observations, which are within the area of expertise of Building Division staff, the Building Division concurs with the civil engineer's conclusion that the existing building is a safety hazard. In addition, most, if not all of the existing materials would need to be replaced in order to restore the structure and convert it into a residence meeting today's building standards.

A peer review of the civil engineer's report was not performed, as the applicant did not agree to pay for the cost of the review. However, staff was able to confirm the engineer's main conclusions, and does not believe that further independent review of the report is necessary.

Land Use Violation

Subsequent to the January 27 Planning Commission hearing, it came to the attention of staff that the current use of the commercial building on the front portion of this site may not comply with the Development Plan/Coastal Development Permit (D990005D, Dennis, Keys) that was approved by the Planning Commission in May 2000. After a site inspection and review of the approved Development Plan, staff finds that the existing, approximately 900 square-foot building is being used primarily as a gift/antique shop rather than for wine sales and a tasting room as authorized by the 2000 Development Plan/Coastal Development Permit. The previous approval did not authorize general merchandise stores such as a gift store, which is not an allowable use in the Residential Multi-Family land use category. Therefore, as required by Coastal Zone Land Use Ordinance Section 23.01.034c, staff has added a condition to attached Exhibit B (Condition 11) that requires correction of this land use violation prior to issuance of a building permit for the proposed dwelling.

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Attachments

- Exhibit A: Findings
- Exhibit B: Revised Conditions of Approval
- Revised plans
- Civil Engineer's Report on Cass barn
- Correspondence from Randall Dennis; staff responses
- Correspondence presented at the Jan. 27 Planning Commission hearing
- January 27, 2005 Staff Report

Staff report prepared by Mike Wulkan and reviewed by Matt Janssen

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EXHIBIT A – FINDINGS (revised 4-28-05)

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 16, 2004 for this project. Mitigation measures are proposed to address cultural resources and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because a single-family dwelling is an allowable use in the Residential Multi-Family land use category, and because, as conditioned, the project is consistent with all of the General Plan policies, including applicable Coastal Plan policies regarding hazards and archaeology.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code, including Sections 23.05.040 et seq. and 23.05.050 regarding drainage, and 23.07.060 et seq. regarding flood hazards.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed single-family residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address potential flood hazards and other health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed single-family residence is similar to, and will not conflict with, surrounding primarily residential uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed single family residence will take access from Cayucos Drive via the alley in between North Ocean Avenue and Ash Avenues. The alley is required to be improved to meet the standards of the Cayucos Fire Protection District, and Cayucos Drive is currently operating at an acceptable level of service, and is expected to operate at an acceptable level at buildout of the community. Therefore, the access roads will be able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because adequate vertical access to the coast already exists within 1/4 mile of the site, and because the project will not inhibit access to the coastal waters and recreation areas.

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EXHIBIT B - CONDITIONS OF APPROVAL (revised 4/28/05)

Approved Development

1. This Minor Use Permit/Coastal Development Permit authorizes:
 - A. The demolition of the existing Cass barn and construction of an approximately 4,600 square-foot single-family residence, including an approximately 1,200 square-foot garage, on a portion of the lower level.
 - B. A maximum height of 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards.
 - C. All development shall be consistent with the approved plans, including the approved floor plan and architectural elevations.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
3. **At the time of application for construction permits**, the applicant shall submit for review and approval by the County Engineer a drainage plan in accordance with the requirements of Coastal Zone Land Use Ordinance Sections 23.05.044 and 23.07.064. The drainage plan, together with any needed supplemental documentation, shall demonstrate how the project complies with the drainage standards of Section 23.05.050 and the flood hazard standards of Section 23.07.060 et seq.
4. **At the time of application for construction permits**, the applicant shall apply to the County Public Works Department for an encroachment permit for construction of a driveway approach and any other construction within the alley between North Ocean and Ash Avenues.

Cultural Resources Mitigation Measure

5. **At the time of application for construction permits**, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red." If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

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Fire Safety

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to improvement of the alley to meet the requirements of the Cayucos Fire Protection District, installation of fire sprinklers meeting N.F.P.A. 13D standards, and all requirements outlined in a Fire Safety Plan to be prepared by the Cayucos Fire Protection District for this proposed project.

Services

7. **At the time of application for construction permits**, the applicant shall provide valid letters from the Cayucos Sanitary District and the Moro Rock Mutual Water Company stating they are willing and able to service the project.

Conditions to be completed prior to issuance of a construction permit

Cultural Resources Mitigation Measures

8. **Prior to issuance of a construction permit for demolition of the Cass barn**, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person, including, but not limited to: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.
9. **Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
 - A. List of personnel involved in the monitoring activities;
 - B. Description of how the monitoring shall occur;
 - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - D. Description of what resources are expected to be encountered;
 - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - F. Description of procedures for halting work on the site and notification procedures;
 - G. Description of monitoring reporting procedures.

Site Development

10. **Prior to issuance of a construction permit**, drainage plan approval by the County Engineer is required (see preceding condition 4).
11. **Prior to issuance of a construction permit**, the use of the approximately 900 square-foot building on the front portion of the site shall be brought in compliance with approved Development Plan/Coastal Development Permit D990005D (Dennis, Keys) that authorized wine sales and tasting. A general merchandise store, as a primary use, is not allowable.

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Fees

12. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed during project construction

Building Height

13. The maximum height of the project is 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards, administered as follows:
 - A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Cultural Resources Mitigation Measure

14. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from the Cayucos Fire Protection District of all required fire/life safety measures.
16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

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Cultural Resources Mitigation Measure

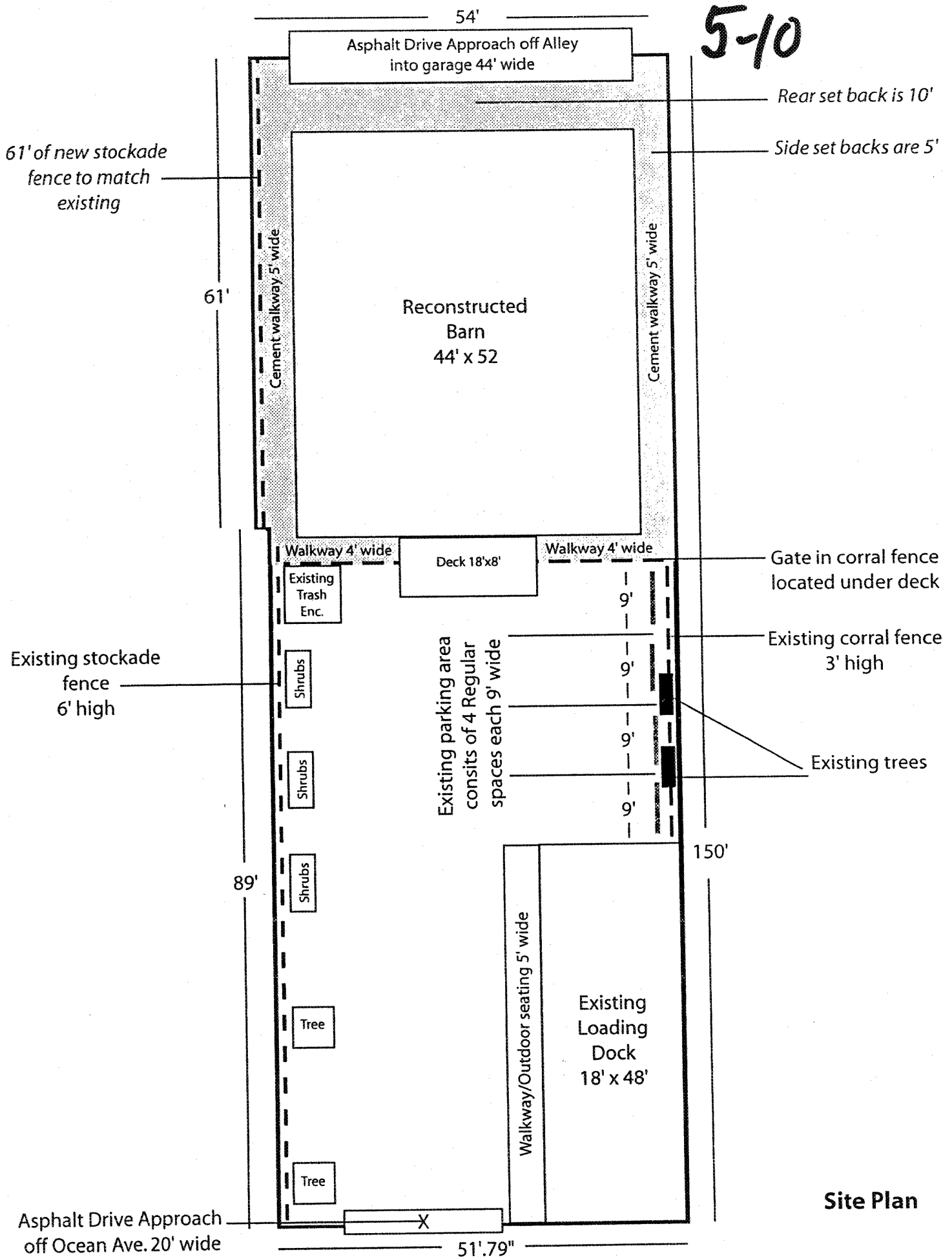
17. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first),** the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Miscellaneous

18. This land use permit is valid for a period of 24 months from the effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

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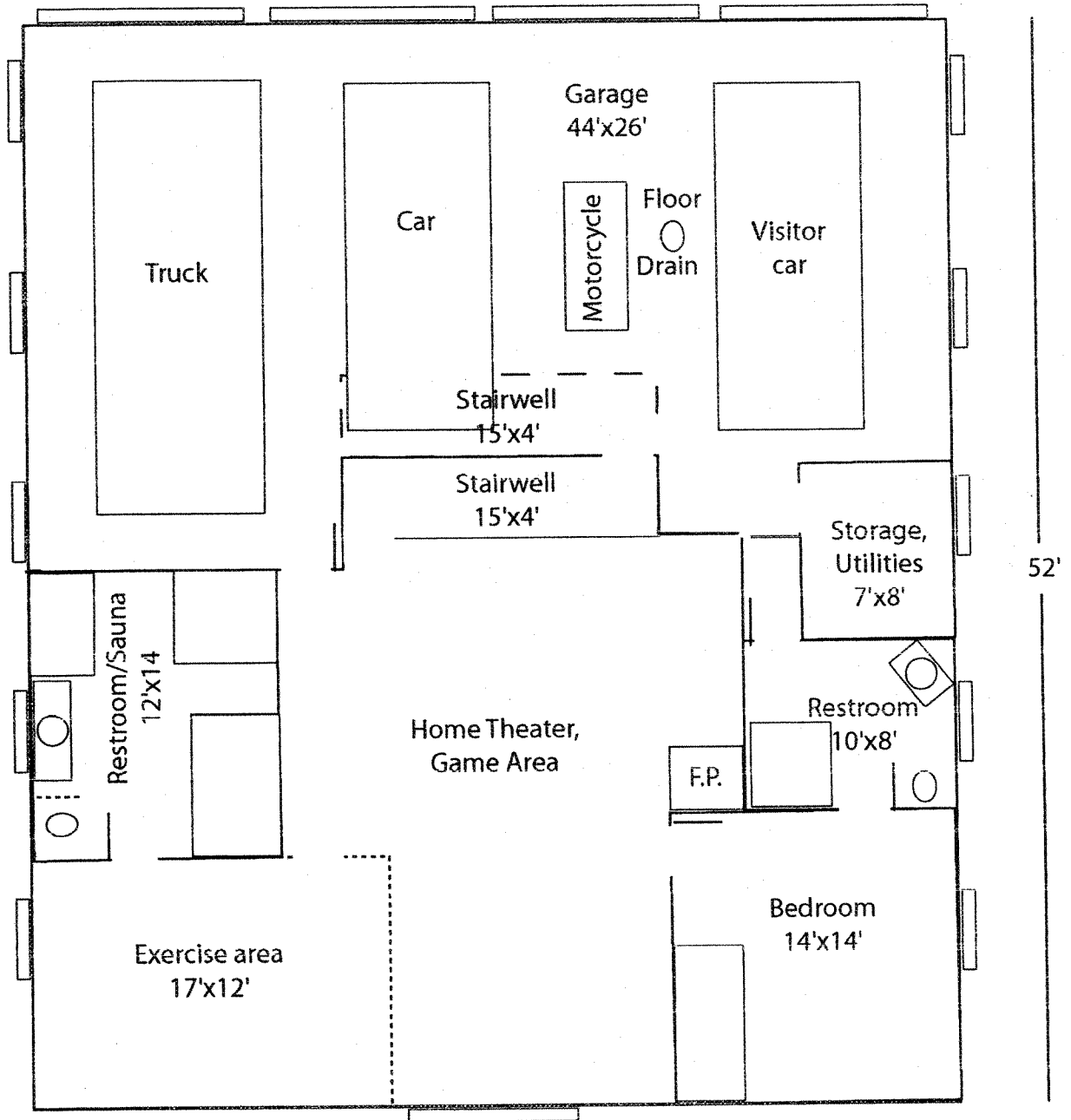
REVISED PLANS



Site Plan

5-11

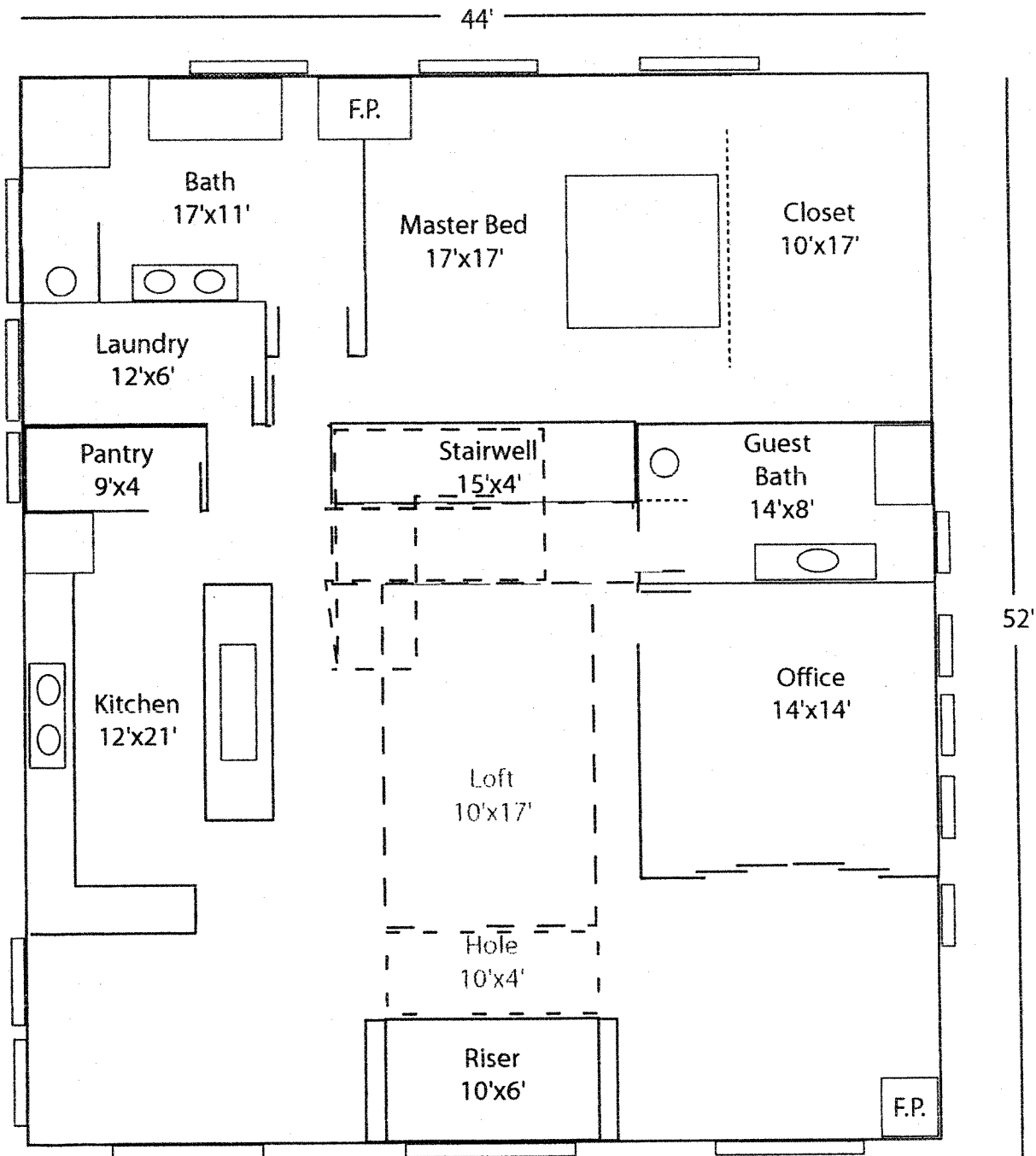
44'



Ground Floor

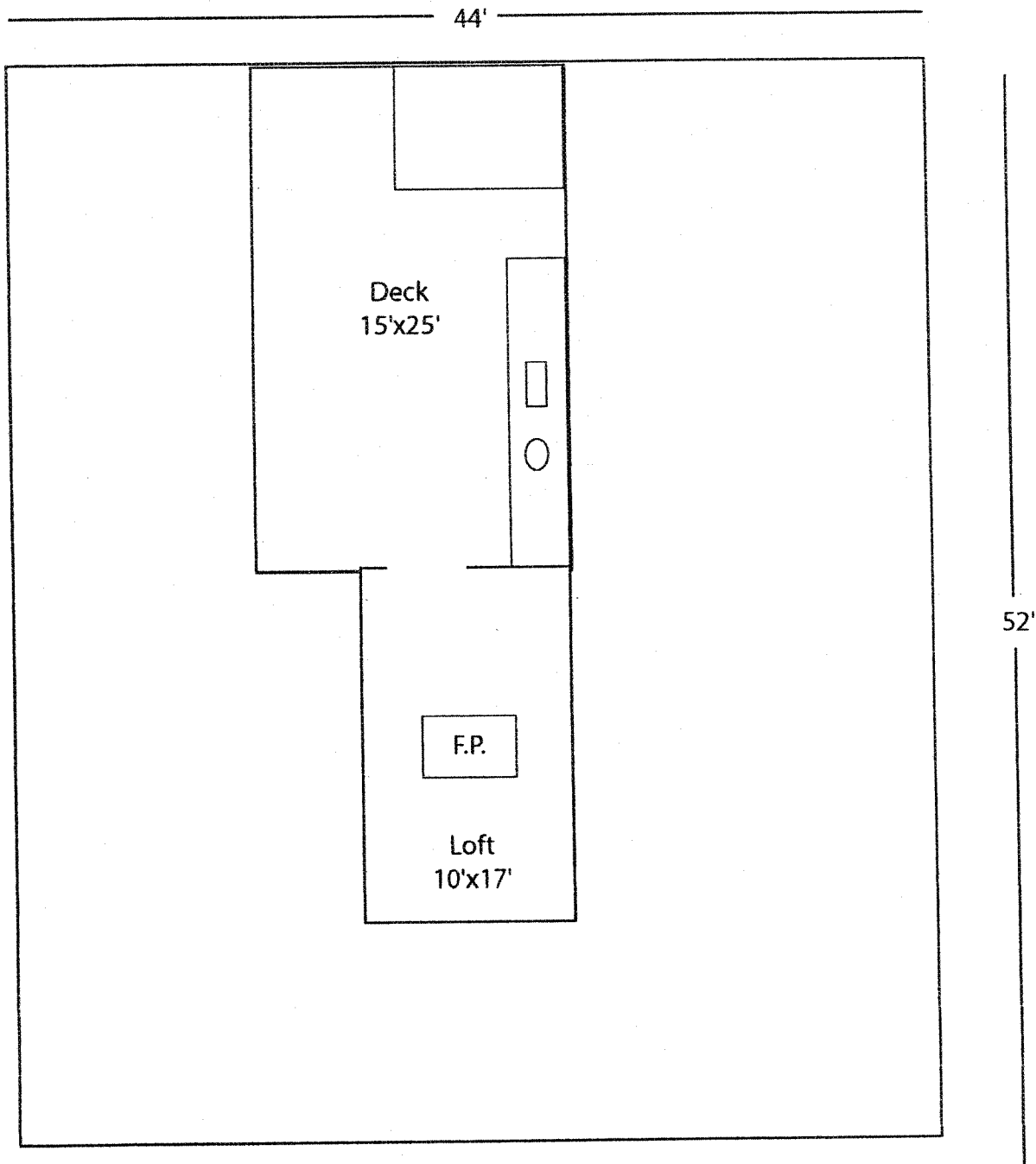
2/16/05

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Living Space

5-13

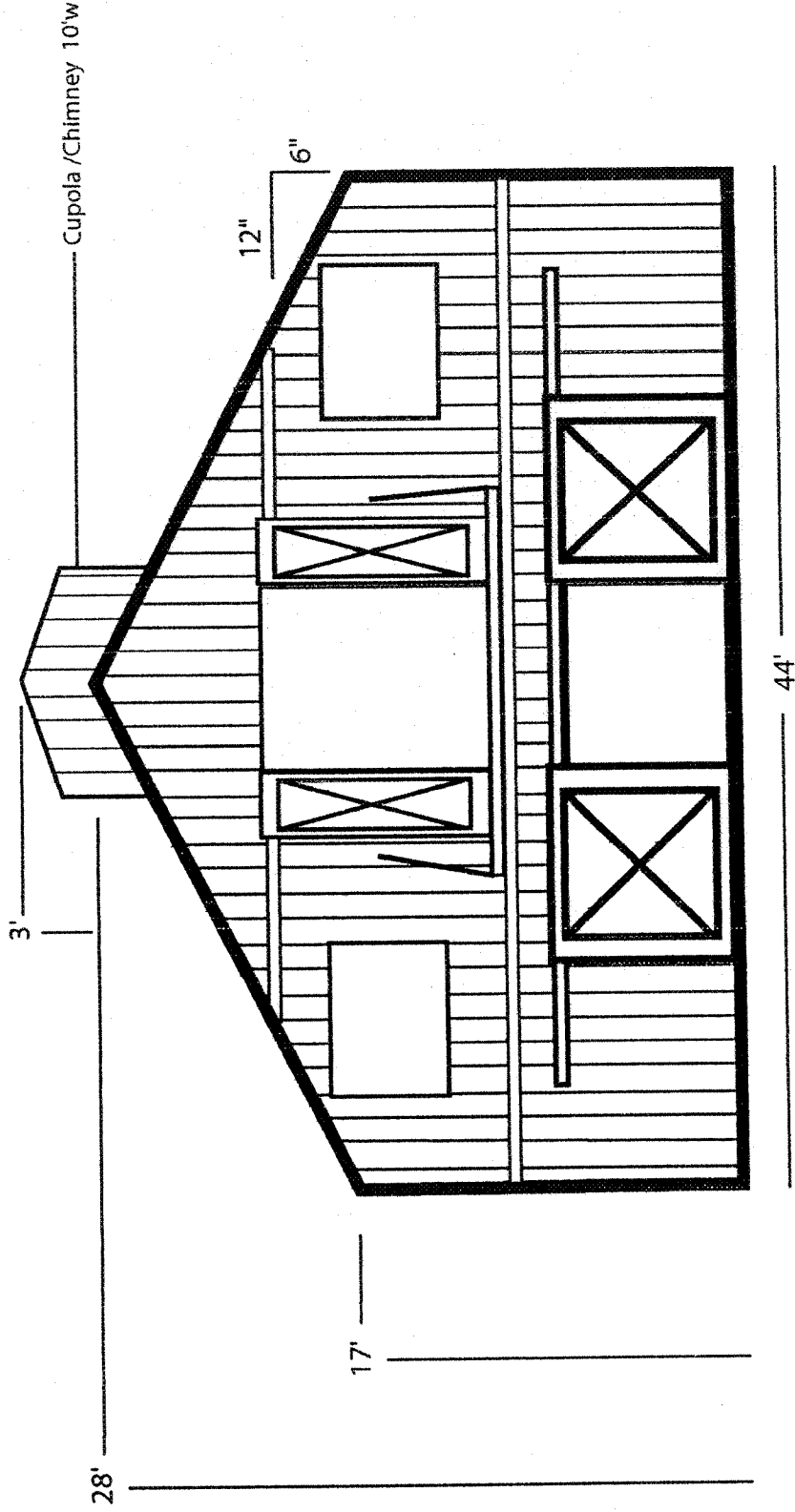


Loft & Deck

2/16/25

5/9/05

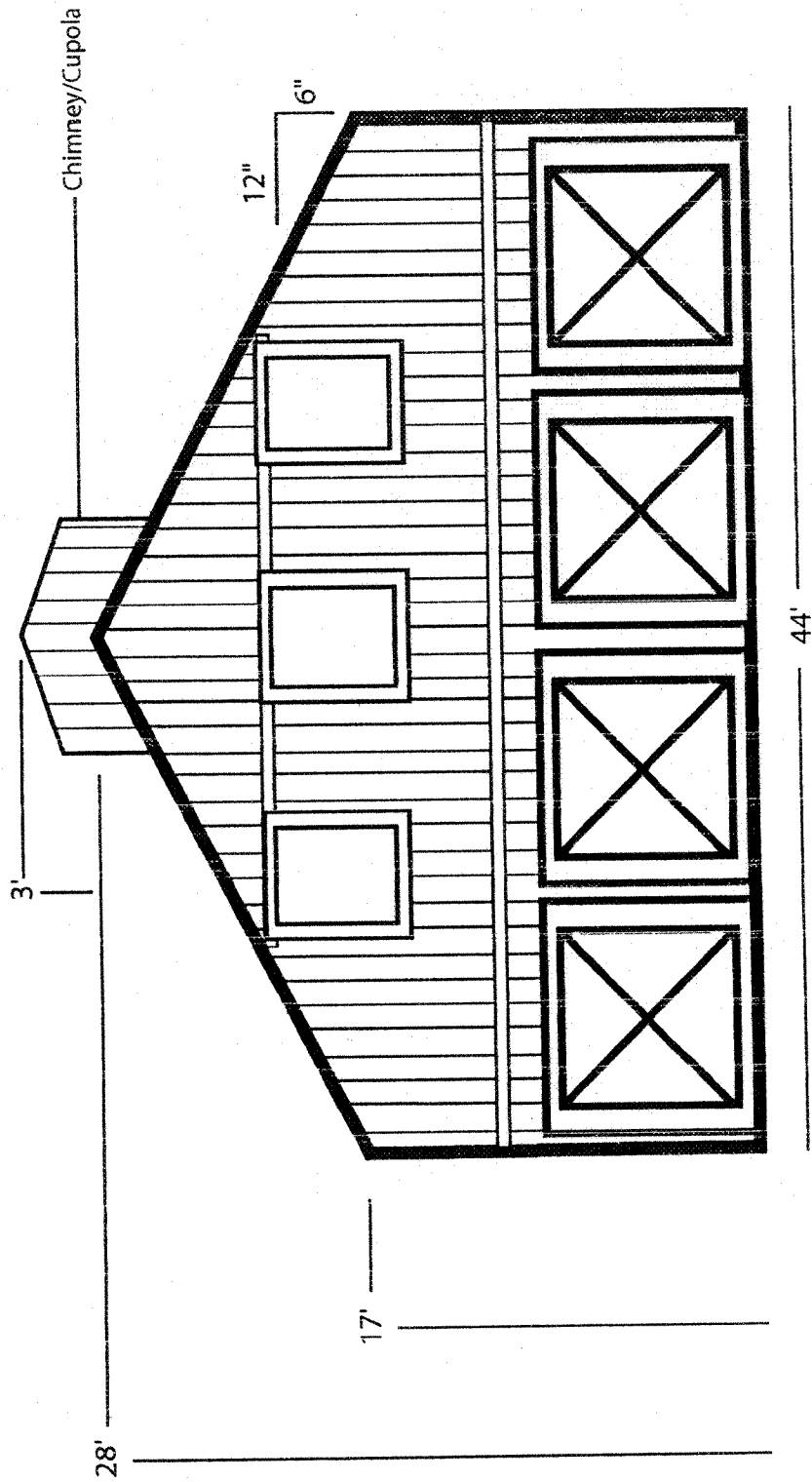
5-14



West
Elevation

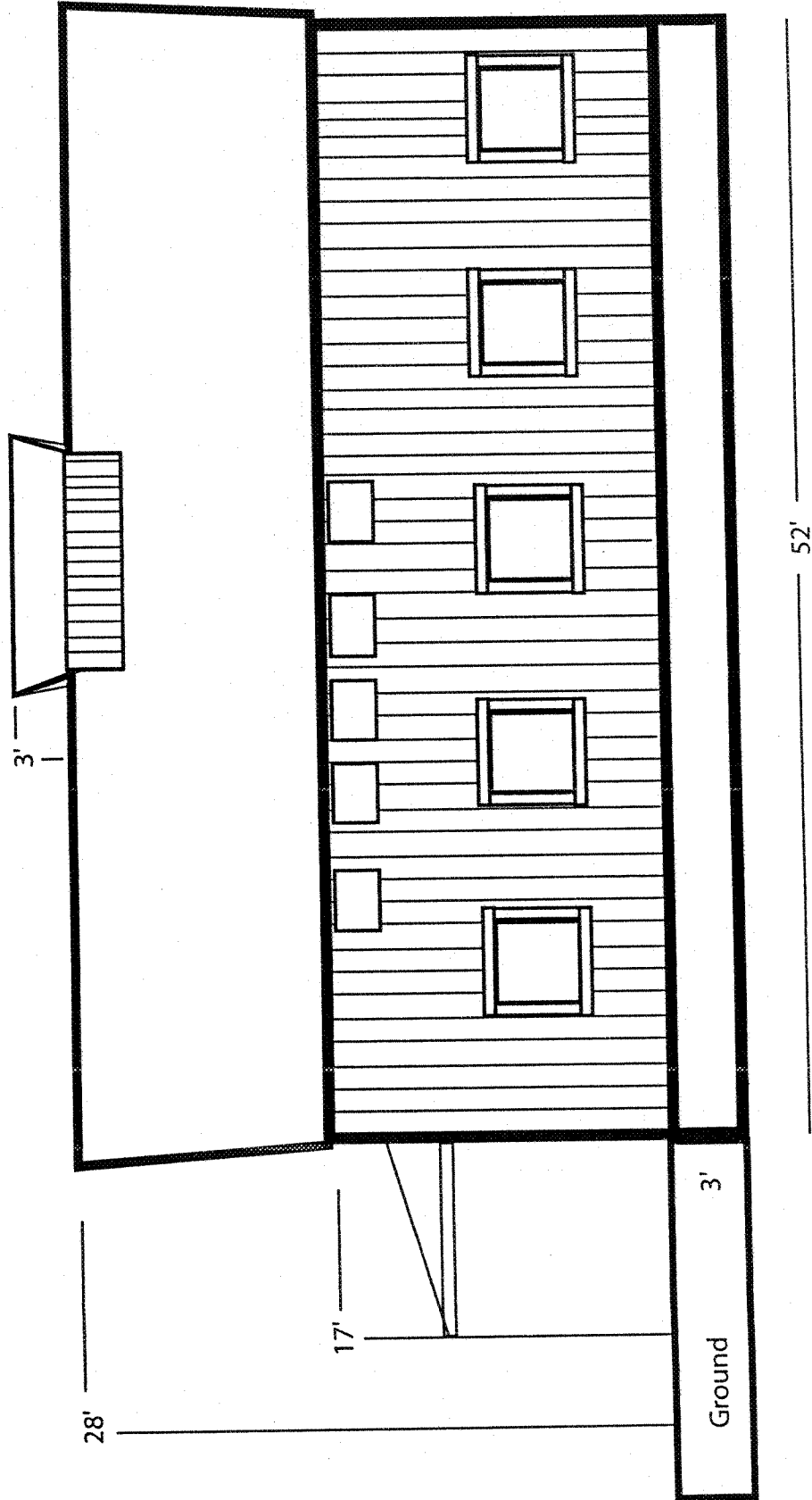
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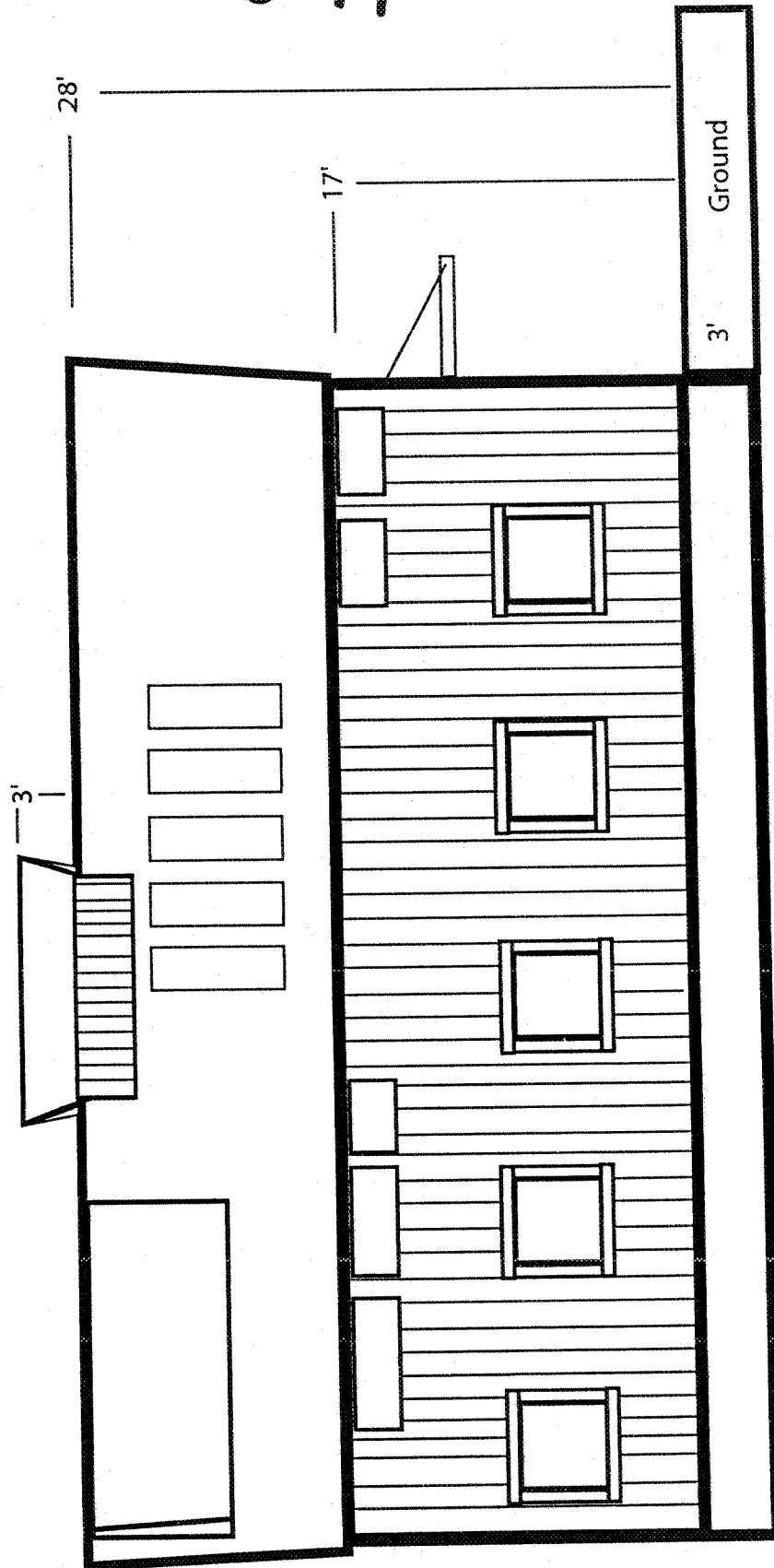
2-16/05



South
Elevation

50/91/2

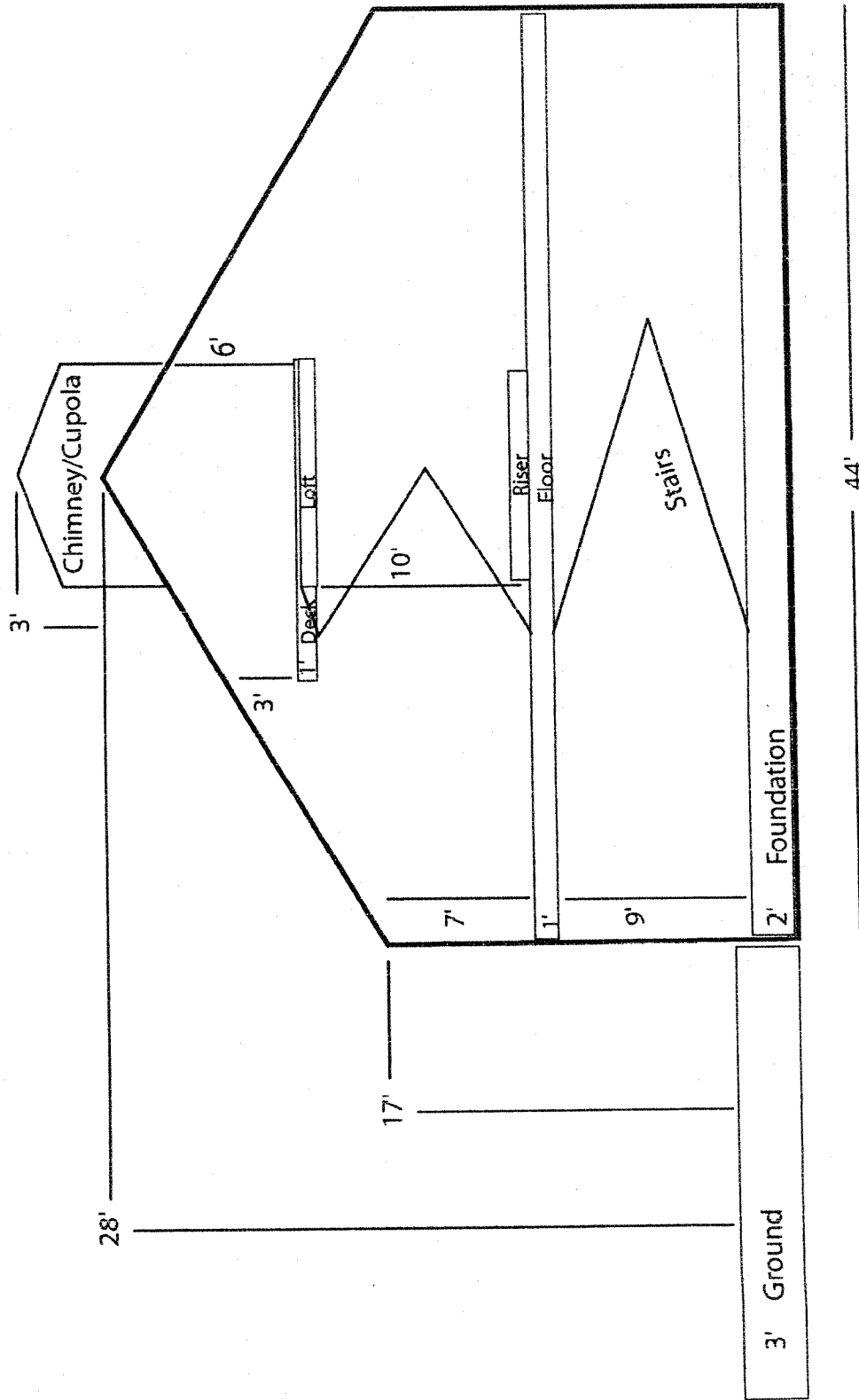
5-17



North
Elevation

2/16/05

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Section

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CIVIL ENGINEER'S REPORT ON CASS BARN

November 9, 2004

Mike Wulkan
Department of Planning & Building
County Government Center
San Luis Obispo CA 93408

Subject: Structure at North Main Street, Cayucos, CA 93430
DRG 2003-00032 / DRC - 2003-00075
Minor Use Permit & Variance,
Randall Dennis

Dear Mike:

I have been retained by Randall Dennis, to structurally evaluate the above referenced "barn."

Some Facts:

1. The building is a 52' x 60' wooden structure.
2. The roof is wooden shingles over 1x6 batts over 2x4 roof rafters supported by 4x4 purlins on 4x4 posts @ 8'-0" O.C.
3. The siding is 1" x 12" vertical pine or fir.
4. The wall framing is 2x4.
5. The foundation looks like 12x6 or 12x8 creosote treated timber sills.
6. The floor is earthen.
7. The building is surrounded by a retaining wall on three sides ranging in height from 2' to 4'. The east elevation backs onto a paved alley which is approximately 2 feet above finish floor. The building is in a depressed area.

In reviewing the building, the first thing noticed was the total state of disrepair. The shingles are missing or deteriorated to the point where they are ineffective. The roof no longer sheds water. The "elements," sun, wind and rain, have totally destroyed the soundness of the structural members. There is severe dry rot throughout. Many of the members have been spliced to retain some type of integrity. The building has not been painted in years and some parts, never.

The building, when constructed, might have met the building codes of that time, but not today. All materials on and in the building are inadequate by today's standards. The

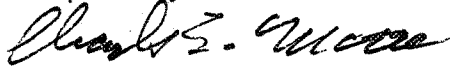
Wulkan Letter
November 9, 2004
Page 2

structural members are too small for the spans, the posts are too tall for their dimensions and the connections are not in conformance with general construction practices. Rust has weakened many of the spiked and nailed connections.

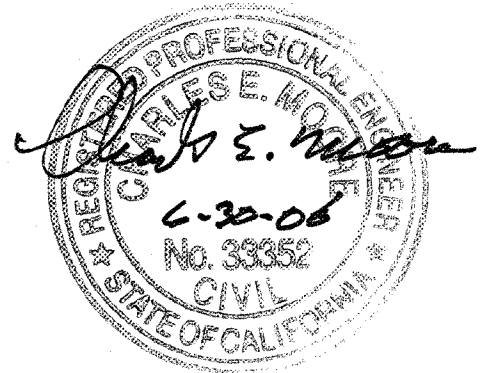
In the big picture, due to all the inadequacies of structural members and the lack of building integrity, plus the fact that the finish floor is 2' - 3' lower than the adjacent properties complete demolition is imperative. There are no materials that are salvageable, even the siding is beyond reuse due to rot, warping and weather damage. The building, as it stands, is a fire and safety hazard to the community and should be destroyed. Maybe the two sliding doors could be removed and refurbished and kept for nostalgic purposes.

Pictures taken at the time of review are included along with a rough plan and elevations. If you have any questions, please give me a call.

Respectfully Submitted,

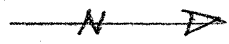
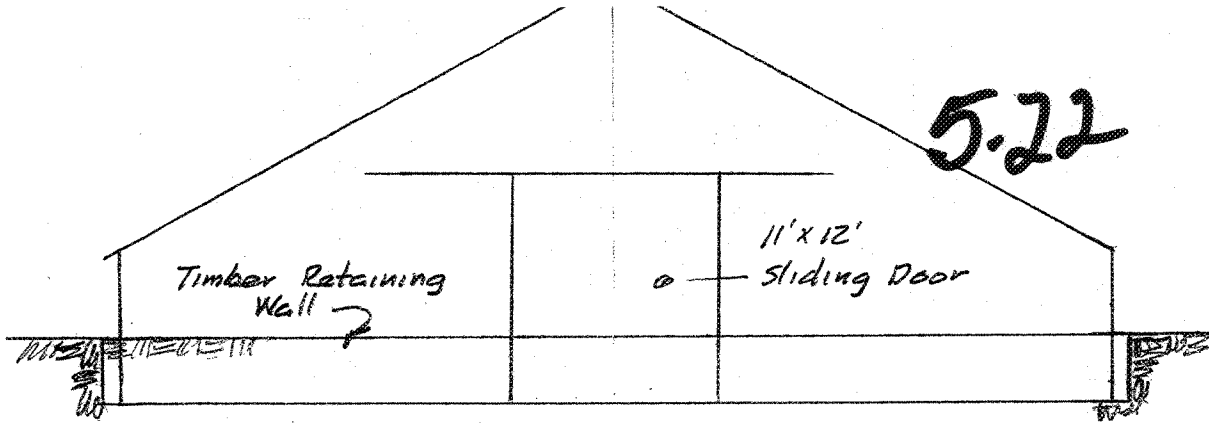


CHARLES E. MOORE
RCE 33352 (exp. 6-30-06)



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West Elevation

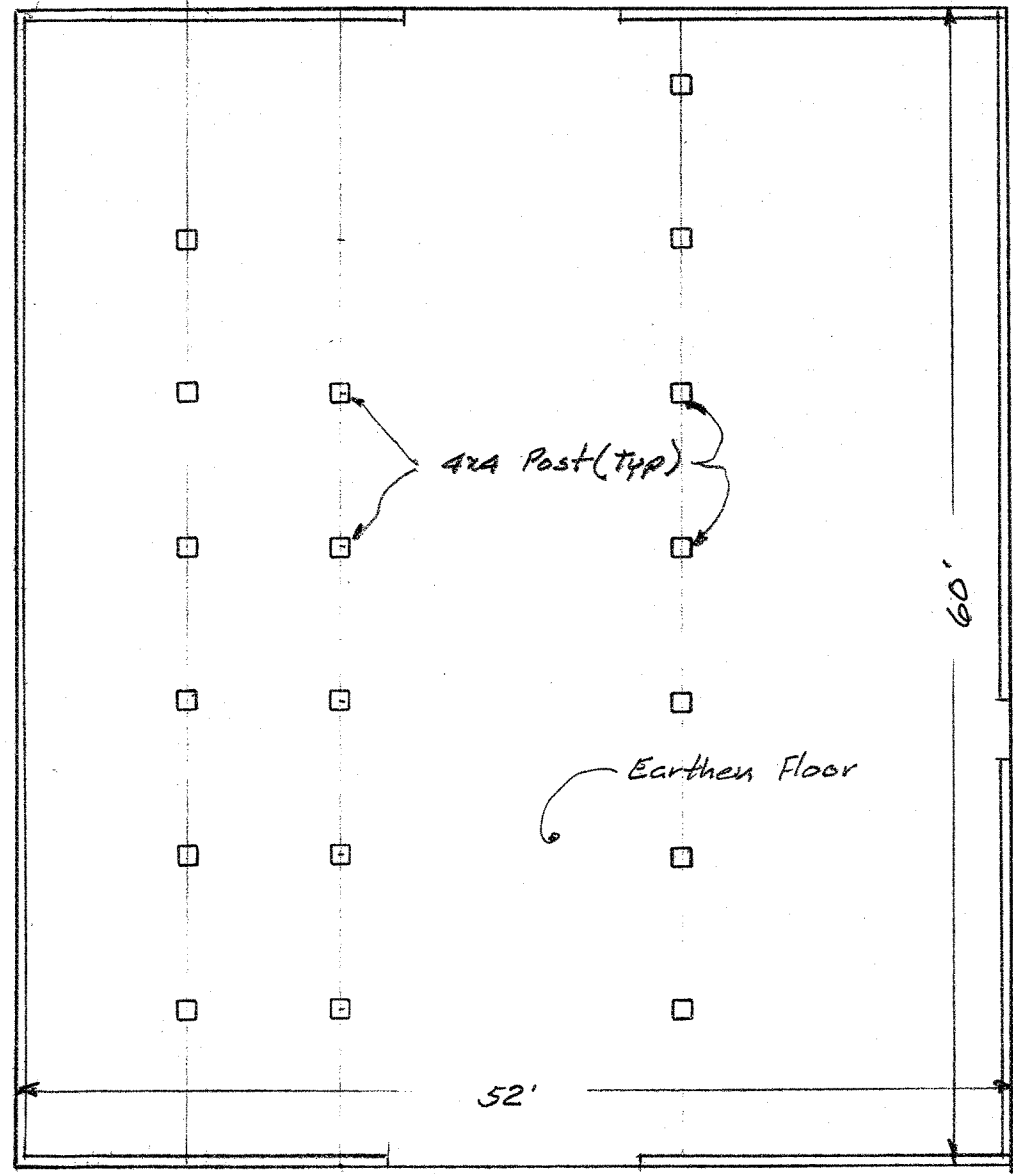


52' x 60' Timber Structure

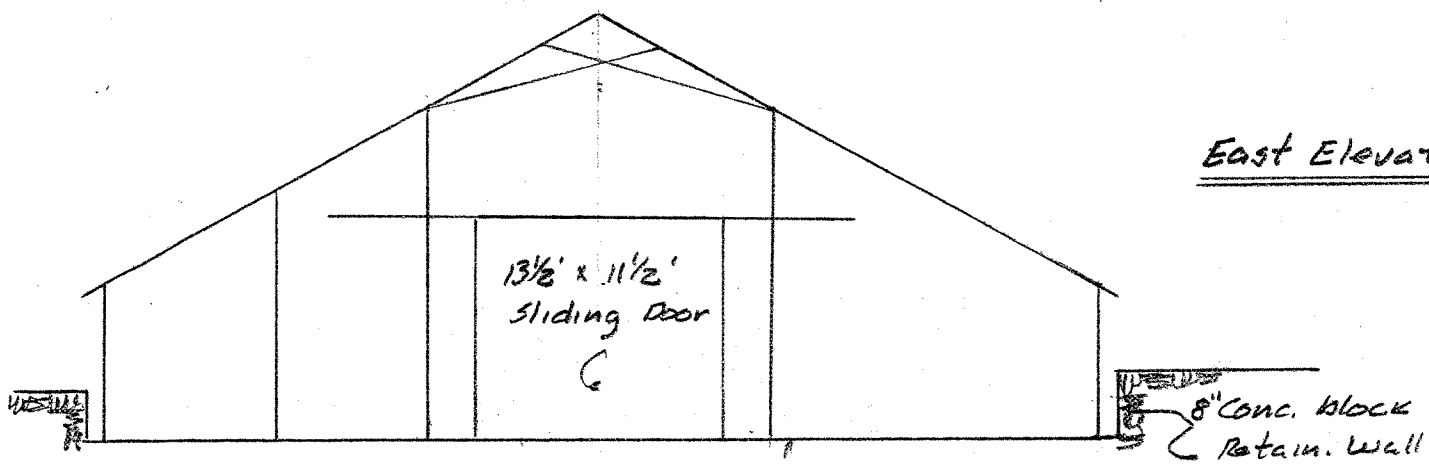
Roof

Wooden shingle over
1" x 6" Wood purlins
on 2 x 4 Rafters.
Supported on 4 x 4s
on 4 x 4 posts.

Floor Plan



East Elevation



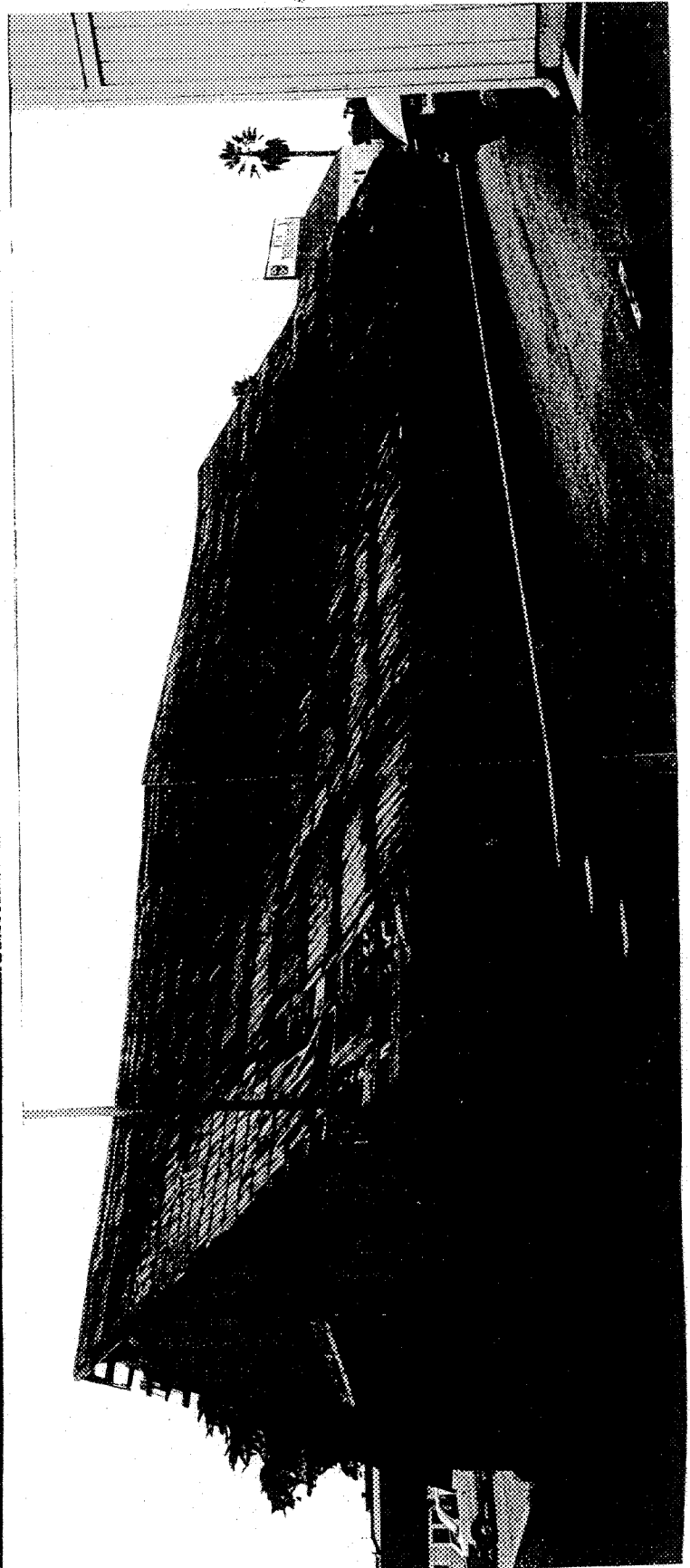
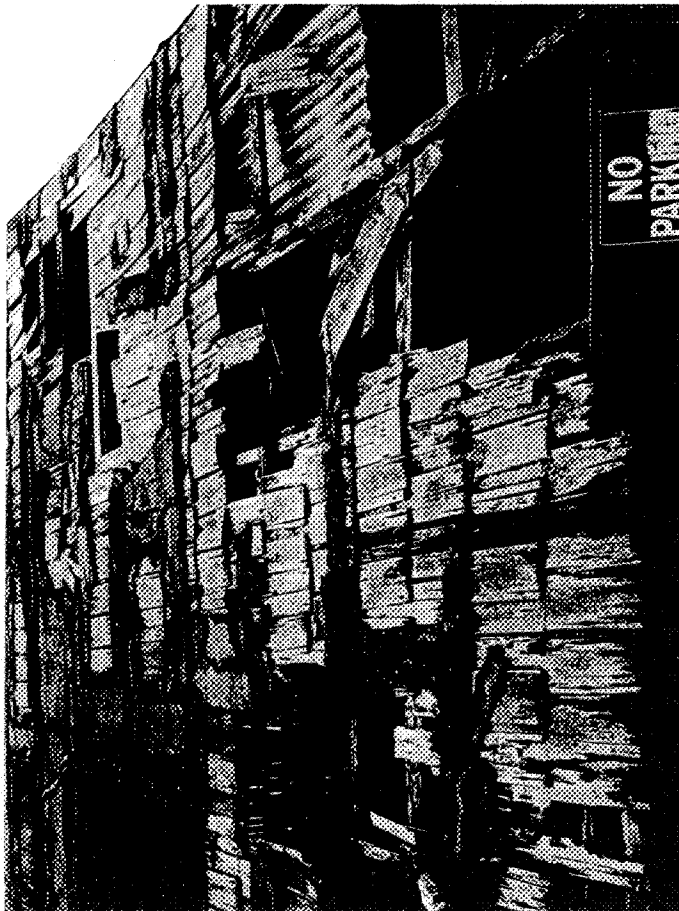


TOP

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WALL ENLIGHTENMENT SILL



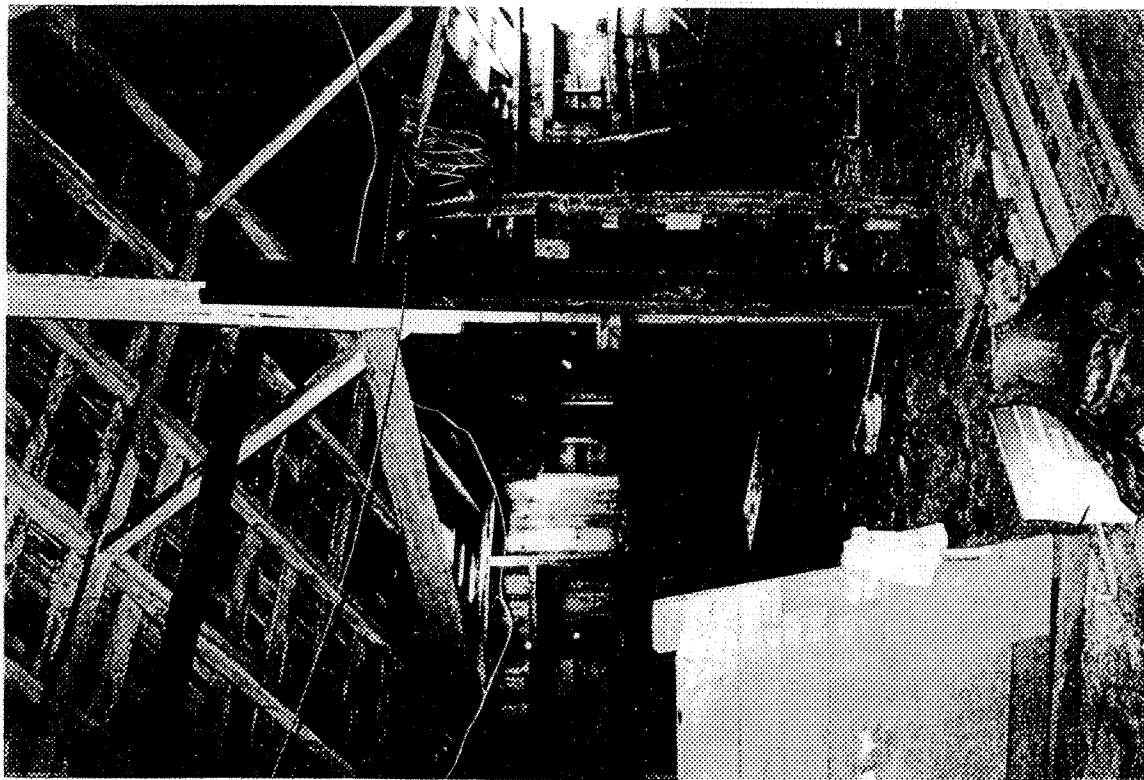
NORTH

2

1440

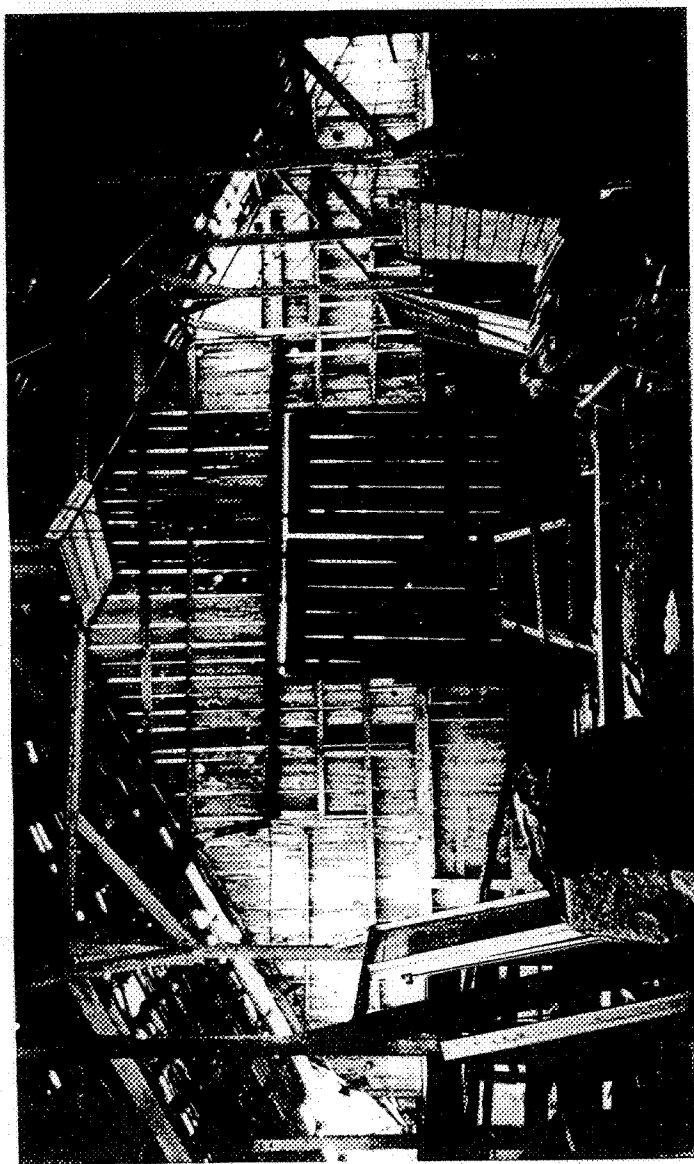
ELEVATION

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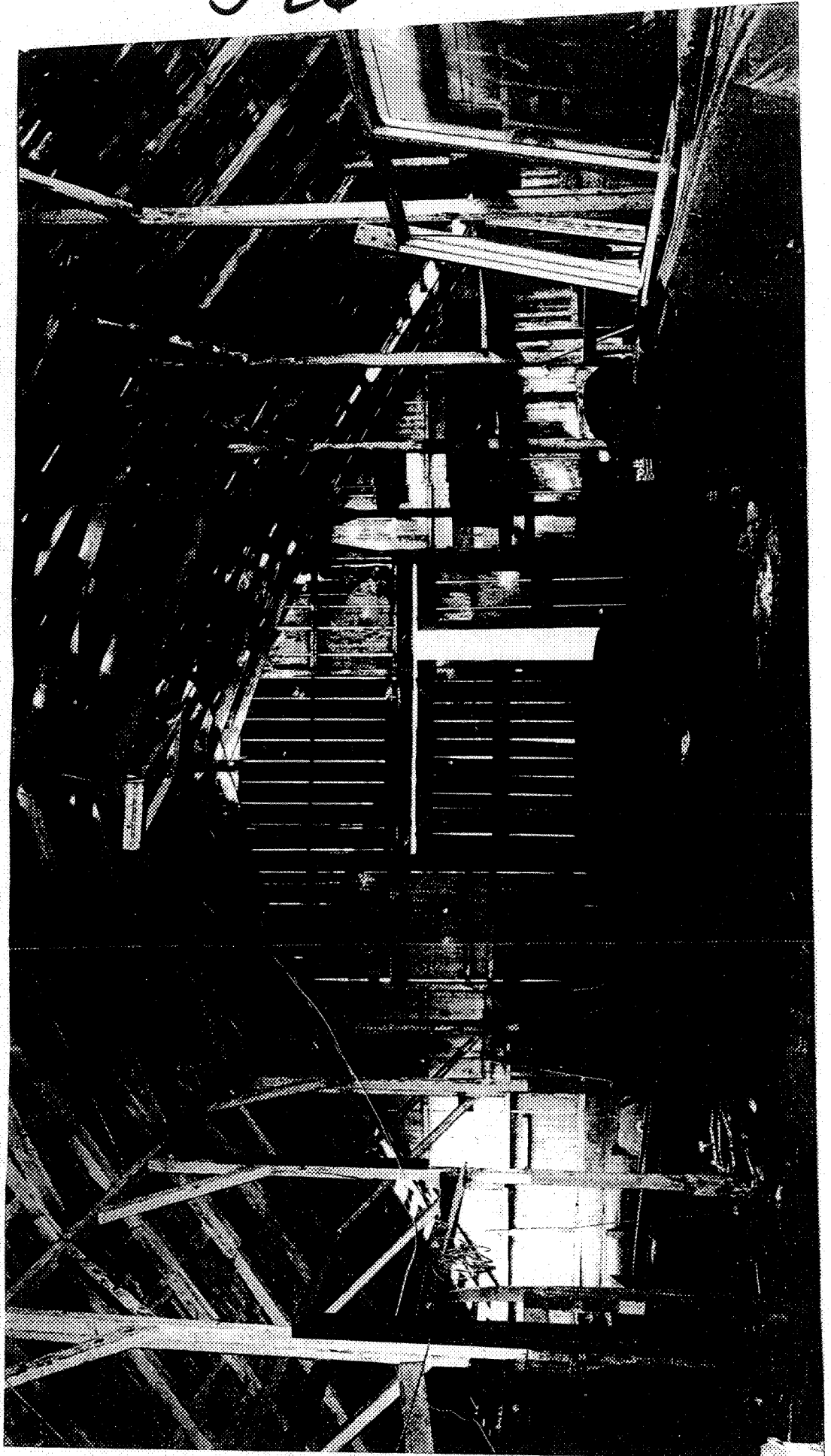


INTERIOR WEST ELEV.
 " NORTH ELEV.
 COLUMN DETAIL

6.9



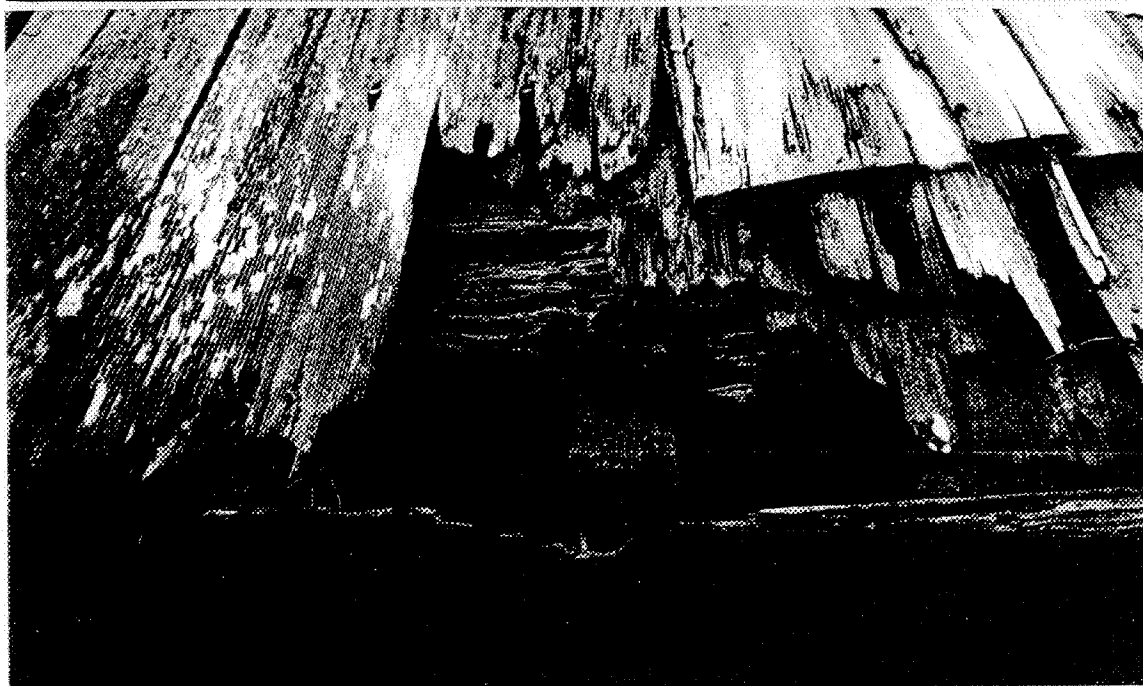
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INTERIOR - EAST ELEVATION



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ROOF LUMBER ROT

5.28

**CORRESPONDENCE FROM RANDALL DENNIS;
STAFF RESPONSES**



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

March 8, 2005

Randall Dennis
340 Kings Avenue
Morro Bay, CA 93442

SUBJECT: DRC 2003-00075 - VARIANCE, RANDALL DENNIS

Dear Mr. Dennis:

This is in reply to your March 4 E-mail, in which you request that the "unspent" portion of the application fee for your Variance application be refunded, as the project has been withdrawn at your request. After asking our Accounting Section to research this matter, we find that you might be eligible to receive a partial refund of your original application fees. If that were the case, the amount of a refund would correspond to a few hours of time that would have been spent on processing the Variance application following its approval, as well as some amount of "unspent" time working on consultation with the public and other agencies. In order for us to process your refund request, please fill out and sign the top half of the attached form and return it to us. Our Accounting Section will then process your request. If you are due a refund, you should receive a check within several weeks.

In your E-mail, you also asked how a project not involving a Variance application could be sent back to the Cayucos Citizens Advisory Council for further review, even though the Advisory Council, in a letter, stated that it had no objection to the Minor Use Permit for the residence. As you may recall, at the January 27 Planning Commission hearing, staff did point out to the Planning Commission that the Advisory Council's position was made clear in the September 13, 2004 letter from Mary Ann Carnegie. However, the Planning Commission's decision to continue the hearing to allow for additional Advisory Council comments was a discretionary action based on correspondence in the record and testimony at the hearing. Staff does not have the ability to force the Commission to take or not take a particular action. Staff's role is to make recommendations—as we did in this case—and the Planning Commission's role is to take action based on the information and testimony it receives in connection with the public hearing.

Regarding your current proposal, you also stated "there is nothing additional that may be legally required to change." You also asked if the current proposal does not comply with every rule and regulation. Please recognize that while your current proposal, with conditions as recommended by staff, complies with all applicable standards and requirements, it remains a discretionary project. That means that the Planning Commission can approve or deny the project, can revise conditions of approval, and can require that changes be made to the site and building design. In that regard, you should

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recall that at the January 27 hearing, individual Planning Commission members expressed concerns about the need for a review of the structural engineering report regarding the barn's structural integrity, and about maintaining the barn's historic character as part of the design of the proposed residence. We expect that the Planning Commission will consider those issues at the April 28 public hearing, and will then make its decision based on the evidence that is presented, including any additional recommendations from the advisory council, public testimony, including your own, and results of a review of the structural engineer's report.

Sincerely,



MIKE WULKAN
Coastal Planning and Permitting

5-31



Lona Franklin

03/04/2005 08:15 AM

To: Mike Wulkan/Planning/COSLO@Wings
cc: Pat Beck/Planning/COSLO@Wings
Subject: Re: (DRC 2003-0032)

----- Forwarded by Lona Franklin/Planning/COSLO on 03/04/2005 08:14 AM -----



"Randall"

<rdennis@hwy1museum.com>

03/03/2005 07:25 PM

To: <lfranklin@co.slo.ca.us>
cc:
Subject: Re: (DRC 2003-0032)

Mike Wulkan, in regards to your letter dated February 18, I am once again requesting the "Un-spent" portion of my Variance Fee to be returned in an expeditious manner. If my project had been approved with variances the fee paid would have covered the work involved to document, record, and trace it through the building process onto final plan recording. This "un-spent" portion needs to be refunded.

Secondly, I understand the Planning Department feels it presented the Planning Commission with the information necessary to make an informed/go-forward decision at the January 27 hearing. It was the false testimony given by the President of the CCAC which confused the Commissioners. That is now an issue between me, my legal council and the involved parties. There does however remain the obligation of the County to prevent my project from being subject to unfair review and unjustified delays. I need to understand how a project with no request for variance can be sent backwards to a Citizens advisory group for review when they have reported that they approve the project less, the variances? The Land Use Committee will have now requested to have my project in front of them of 4 separate occasions. Please let me know if this is standard for a SFH application? On one occasion you informed me it was not required by law for my project to obtain a "favorable" endorsement by either Citizens group." How then may the County Commissioners delay the project by sending it back for review when there is nothing additional that may be legally required to change? As the project sits it complies with every rule and regulation presently required by law? I would greatly appreciate any light you may shed on this matter.

Sincerely,

Randall Dennis

-----Original Message-----

From: Randall [mailto:rdennis@hwy1museum.com]

Sent: Wednesday, February 16, 2005 8:56 PM

To: 'lfranklin@co.slo.ca.us'

Subject: Re: (DRC 2003-0032)

February 16, 2005

County Planning and Building
San Luis Obispo, California
Mr. Mike Wulkan
Coastal Planning and Permitting

Re: (DRC 2003-0032) MUP for demolition and re-construction of CASS House Barn located at,

250 N. Ocean Avenue, Cayucos, CA 93430 (APN #064-094-0321)



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

February 18, 2005

Randall Dennis
340 Kings Avenue
Morro Bay, CA 93442

SUBJECT: DRC 2003-00032/DRC 2003-00075 - MINOR USE PERMIT AND
VARIANCE, RANDALL DENNIS

Dear Mr. Dennis:

This is to confirm that your application for a Variance is being withdrawn as requested in your February 16, 2005 letter. The Planning Commission retains jurisdiction over the Minor Use Permit application for your project, and as you know, they continued the public hearing until April 28, 2005.

At this late stage in the process, the Variance application is not eligible for a refund of application fees, because we have processed the application all the way from submittal to a Planning Commission hearing. We have essentially completed all the work that the initial application fee is intended to cover, including initial review, referrals to other departments and agencies, environmental review, project review and analysis, staff report preparation, advertising, and a Planning Commission hearing. Therefore, there is no "unspent" portion of your application fee that is available to be refunded.

We also acknowledge the revised site plan and elevations that are attached to your February 16 letter. The revised site plan reflects the required side and rear setbacks (no variances), and the revised elevations eliminate the recessed deck on the elevation that faces the Cass House.

In your letter, you request that we should "inform the Planning Commission the claim made by Dick Moon president of the CCAC, that my project was never formally discussed by the CCAC, was false." As you may recall, the Planning Commission had as part of its agenda package the September 13, 2004 letter from the CCAC Land Use Committee that you refer to. Furthermore, that letter was discussed at the January 27 hearing by the Planning Commission, which also heard testimony from the president of the CCAC about its consideration of your project. On the basis of the correspondence in the record and the testimony at the January 27 hearing, the Planning Commission decided to continue this item until April 28 to allow for additional advisory consideration of your project as an agenda item. There is no new information for us to bring to the Planning Commission's attention in that regard.

5-33

Since the Planning Commission continued this item to a specific date, we, as staff to the Planning Commission, have no authority to schedule this item for hearing before that date. Besides, the main reason for the continuance was to allow additional consideration of the project by the full advisory council, and that has not yet occurred.

Finally, as I'm sure you can appreciate, we are in no position to predict or provide assurance as to what the Planning Commission will decide at a future public hearing. Since you have withdrawn your request for setback variances and eliminated the recessed deck on the east elevation, those items will no longer be issues at the Planning Commission. However, as you may recall, individual Planning Commission members expressed concerns about the need for a review of the structural engineering report regarding the barn's structural integrity, and about maintaining the barn's historic character as part of the design of the proposed residence. While the staff's recommendation has been for approval, the Planning Commission will make its decision at a public hearing based on the evidence that is presented, including any additional recommendations from the advisory council, public testimony, including your own, and results of a review of the structural engineer's report.

If you have any questions concerning this letter, please feel free to contact me.

Sincerely,



MIKE WULKAN
Coastal Planning and Permitting

February 16, 2005

5-34

County Planning and Building
San Luis Obispo, California
Mr. Mike Wulkan
Coastal Planning and Permitting

Re: (DRC 2003-0032) MUP for demolition and re-construction of CASS House Barn located at,
250 N. Ocean Avenue, Cayucos, CA 93430 (APN #064-094-0321)

Mike,

Please acknowledge that my request for variance associated with this project is being officially cancelled. Attached are drawings reflective of this change. Accordingly, a prompt refund for the money paid towards the variance request is demanded. Any attempt to deny this refund, will be aggressively challenged since the Planning Commission has yet to vote on the project.

Further, I am requesting that County Planning inform the Planning Commission the claim made by Dick Moon president of the CCAC, that my project was never formally discussed by the CCAC, was false. In fact, the project was in front of them and the Cayucos Land Use Committee on two different occasions. This is confirmed in the second paragraph of the attached CCAC letter. They go on to conclude in paragraph 3 that the MUP for a single family residence was acceptable and simply the requests for variance should be denied. As stated above, all requests for variance have been removed. With this information the Planning Commission would have the confidence necessary to proceed with ruling on the project. It is due to the fact they felt the project had bypassed protocol that they ruled to continue the matter.

To put the delay caused by this misinformation into context, consider that a .25% change in interest rates on a project this size would result in an additional \$25,000 dollars over the life of the loan. By the Commission continuing the review of the project until April this is certain to result. Therefore, I am demanding my project be brought back to the Planning Commission as quickly as possible. My project went through all necessary steps. It has taken over 10 months to do so. As my project now sits, it complies with every single rule and regulation presently dictated by County Planning and Building codes. Any further delays of a project meeting all requirements are a direct breach of my civil rights as a property owner and citizen of this County. Please show me that this permit is going to be approved as-is in a timely manner before it becomes a legal nightmare for all parties now involved.

Respectfully,


Randall Dennis

SLO COUNTY
PLANNING/BUILDING
DEPT
2005 FEB 18 AM 9:04

*Cayucos***5-35**

Sept. 13, 2004

CITIZENS ADVISORY COUNCIL

P.O. BOX 781 • CAYUCOS, CA 93430

Mike Wulkan
Senior Planner
County Building & Planning Dept.-San Luis Obispo
County Government Center
San Luis Obispo, CA 93407

Mike:

This letter is being transmitted to you as a follow-up to the Randall Dennis project regarding the Cass Barn, DRC2003-00032, located at 250 Ocean Avenue [APN 064-094-0321]. The client is requesting a variance for a proposed single family residence to reduce the required side setbacks from 5 feet to 3 feet, and to increase the allowable height from 28 feet to 32 feet in order to allow for a cupola to house mechanical equipment for a lift within the proposed structure. A MUP is also being requested, for the proposed project, in that it is in an area zoned for multi-residential family use, and through the demolition and reconstruction of the Cass Barn, a new single family resident is being requested.

The client, and/or their representative were asked to come, on two separate occasions to two Land Use Committee Meetings [one in July and another in August], as well as to two Cayucos Citizens Advisory Council Meetings [August and September]. Unfortunately the client attended none of the four opportunities to present and more fully discuss the project with committee and advisory members, as well as other invited concerned neighbors regarding concerns for the proposed project.

After much discussion, all agreed that the current building poses a hazard as it is because of decay and deterioration. All agreed that they would definitely like to see it replaced. If it could not be replaced as an exact historical replica, then whether it is as a SFR or MFR made little difference. However, from that point on there were many concerns, lots of discussion, an on-site visit, along with talking and meeting with the neighbors. It was through all of this, that ultimately both the Land Use Committee, and the Citizens Advisory Council could not support this project's variance request. Everyone agreed that since this particular project will completely demolish the existing historical barn in order to rebuild an entirely new single family residence in its place, **ALL** existing heights, setbacks, and other Estero Area Plan standards should be met with no exceptions. The proposed new structure does not reflect any historical resemblance to the original old Cass Barn. The presence of several highly visible skylights, the windows along the south and north side, as well as the numerous windows and openings on the east elevation, the cupola, etc. do not lend themselves to looking like the original barn, other than for the basic outline or shape of the structure. We could not see otherwise where any historic integrity of the original barn was being preserved.

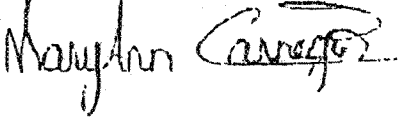


The Land Use Committee and the Cayucos Advisory Council DOES NOT SUPPORT the requested variance for additional height and reduced side setbacks. The MUP for a single family residence was acceptable.

Should you have further questions or concerns please feel free to call me.

5-36

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Mary Ann Carnegie".

Mary Ann Carnegie
Chair, Land Use Committee
995-3659

5-37

**CORRESPONDENCE PRESENTED AT JANUARY 27,
2005 PLANNING COMMISSION HEARING**

5-38

TO: Victor Holanda, AICP
San Luis Obispo County Planning Commission

FROM: J Chris Mitsuoka
262 N. Ocean Avenue
Cayucos, CA 93430
(805) 995-3858

PLANNING COMMISSION
EXHIBIT Item #1
DATE 1-27-05
DO NOT REMOVE FROM FILE

SUBJECT: Cass Barn Renovation DRC 2003-00032 and DRC
2003-00075

I would like to express my objection to the variances requested for the renovation of the 'Cass Barn'. In making this objection I ask you consider all the following:

1. Building codes and covenants are developed to set the community standard for aesthetics, social needs and safety. These should be applied with impartiality and benefit the entire community.
2. Any variance from these should only be entertained when all possible alternatives to work within the codes will result in a deterioration of the aesthetics, societal needs or safety of the community and this absolute need is clear to all members of the neighborhood affected.
3. No attempt to retain the historic value is being proposed in the current project thus variances previously granted should be withdrawn.

The request of the builder has not demonstrated any aesthetic, social or safety advantage to the community of the current plan. There is no evidence that an aesthetically appealing, socially acceptable and safe residential structure would necessitate the variances requested.

Specific Objections:

One inch variance on the north side of the property

1. The original property line was compromised in an attempt to preserve the historic Cass Barn. Unfortunately, an unpredictable flood plain made it necessary to elevate all the existing property approximately five (5) feet. This will make it impossible to preserve

5-39

the original structure and the builder's plan makes no attempt to salvage any of the original building.

2. The current property line on the north side of the lot currently protrudes two feet six inches (2' 6") onto the adjacent property leaving an unsightly jagged appearance in the property lines of the PJ Treasures lot and the 260 N. Ocean lot as well as mine at 262 N. Ocean. In addition, there is a functional impact. The protrusion onto my property makes it nearly impossible for me to use my garage because the driveway is too narrow to allow a direct entry.

Recommendation:

Deny the requested variance and require a seven foot six inch (7' 6") set back from the north side property line to give the appearance of a conforming lot thus improving the aesthetic appearance of the neighborhood. In addition, this would provide greater access for safety vehicles through the driveway to both 250 and 262 N. Ocean properties.

Twelve foot variance on the east side of the lot (Adjacent to the alley).

1. This alley way is the fire and emergency entrance to the dwellings of approximately twelve families. All of the current dwellings are set back to allow ample entry and egress to emergency equipment. If the variance is allowed, there will be a severe bottleneck in the center of the alley. If a single car is disabled at that point or illegally parks in front of the new structure, the safety of twelve families will be compromised.

Recommendation:

Deny the variance and preserve the emergency access to insure the safety of the neighborhood. Retain the appearance of a conforming lot design.

Thank you for your consideration. Please feel free to contact me directly.



5-40
Zoo Med Laboratories, Inc.

3100 McMillan Road
San Luis Obispo, CA 93401 USA
Ph: (805) 542-9988 Fax: (805) 542-9295
<http://www.zoomed.com>
Email: zoomed@zoomed.com



January 25, 2005

To: County of San Luis Obispo
Planning and Building Department
Attn: Mike Wulkan
County Government Ctr.
San Luis Obispo, CA 93408

RECEIVED

JAN 26 2005

SLO CO PLANNING & BLDG.

From: Gary Bagnall / Owner, Cass House in Cayucos
Re: Randall Dennis / MUP
County File No's: DRC 2003-00032, and DRC 2003-00075

Dear Mr. Wulkan,

I am the owner of the Historical Cass House at 222 and 224 N. Ocean Avenue which sits directly next door to the proposed development from Randall Dennis. I have the following comments regarding the "Cass Barn" property owned by Mr. Dennis.

1. Yes, the barn needs to come down. The last two storms have compromised the barn to a point where it is extremely unsafe. Also, wood roof shingles containing nails have blown off, hit my small "boat house" (224 N. Ocean) directly next door to the barn. If these shingles were not collected by myself then someone working at the Cass House could step on a rusty nail which would cause Randall and myself additional grief.

2. I am completely **against** the proposal for a **house** (any size) to be built on Mr. Dennis's property. I have spent over 12 years restoring the Cass House to make it into a commercial venture with a restaurant, rooms to let, weddings, family reunions, etc. Many of the above commercial features go late into the night and the parking area for the Cass House is directly next door to the subject property. You can only imagine a wedding or family reunion going to 11:00 p.m. with a crowd talking in the parking lot hence problems with a "House" placed directly next door.

Randall's original plans were for a "Highway 1" museum which I would support. In fact, I would support just about any "commercial" project except for a bar or nightclub.

In closing, I have put my heart and soul into the Cass House project and I hope the county will take this into consideration when making their decision on this request from Mr. Dennis.

Sincerely,

Gary Bagnall
Owner
Cass House

5-41



Doug Carlton
<carltondoug@sbcglo
bal.net>

To: lfranklin@co.slo.ca.us
cc:
Subject: Dennis Randall Project

01/26/2005 02:24 PM

To: <lfranklin@co.slo.ca.us>
Subject: Dennis Randalls Public Hearing
Date: Wednesday, January 26, 2005 2:20 PM

Dear Lona Franklin,
My name is Doug Carlton. My family and I live at 245 Ash Ave. in Cayucos. I'm contacting you concerning the public hearing 1-27-05 that I will be unable to attend because of work obligations. My concerns are regarding the Minor use Permit/Coastal Development Permit/Variance requested by Dennis Randall. We live directly behind, across the alley, from the old barn in question. I realize the old barn is old and unsafe and needs to be demolished. Our concerns are more with the new development specifically the setback variance requested. Allowing the structure to develop beyond the normal setback is uncalled for. This is a huge lot with plenty of area for development. Encroaching or crowding the lot lines will only block the view of all neighbors behind the new development.

My other concern is the alley traffic a new garage will generate. Our children and their friends use the alley as a path to the beach. Adding traffic to the alley will be unsafe and cause a dust problem. The new garage should have its primary access from Ocean Ave. not the alley. Thank you for your time and please confirm receiving this e-mail.

Sincerely,
Doug Carlton and Family

DRC2003-10032
DRC2003-10075

5-42

LAND USE COMMITTEE

EXHIBIT

Item # 1

DATE

1-27-05

MAJOR CONCERNS FOR THE CASS BARN

- Did not meet with approval from the Land Use Committee and the Cayucos Citizens Advisory Council.
- Applicant's lack of attending several meetings to openly discuss and work on the concerns that the committee, the council, neighbors and community have with the proposed project
- Though the project, as presented, was not supported by the Land Use Committee, Advisory Council, neighbors and community, all agreed that the current structure is a safety hazard and needs to have something done, but all wished to preserve and protect the historical integrity of the building as it is in the "heart of down town Cayucos" and is an anchor to the historical Cass complex square.
- Based on the history of the projects presented, it appears the applicant though he may have the will and desire to do something with the project, he does not appear to be truly interested in preserving the historical integrity of the barn.
- The project's only similarity to the historical Cass barn is only "somewhat of the 'outline'" of the building. Yet, upon studying it, one can see that it really does not represent "the look and feel" of the actual barn.

Original Cass

No cupola/chimney
No skylights
No windows on sides
Side-walls are only 4-5 ft. high
Barn height was approx 18-19 ft.

Roof pitch 7:12
No loft doors/windows
NO DECK on roofline

Proposed Building

3 ft. high cupola/chimney
several are being proposed
several are being proposed
proposed will be 17ft
proposed will be 28ft., plus
Raised with fill 3-5 ft.
roof pitch 6:12
several are being proposed
open deck roofline*

* This proposed deck, and thus a change in the roofline, was never brought before the Land Use Committee. This too would not have been approved in that it alters the historical "look and feel" even more. In fact, this cut in the roofline detracts from the overall "look and feel" of the building.

Based on the list above NOTHING is the same from the original to the proposed—How is the historical integrity, the look and feel of the Cass Barn being preserved? The design elements do not mimic or help retain the original look of the Cass Barn. It is not the same proportions or even the same outlined shape of the Cass Barn.

Does the project meet the applicable planning standards?

5-43

RECEIVED

JAN 26 2005

SLO CO PLANNING & BLDG.

January 25, 2005

Planning Commissioners
County Government Center
San Luis Obispo, CA 93401

Planning Commissioners:

re: Cass Barn Hearing Item #1

Due to prior commitments I am unable to attend and speak out in regards to the Randall Dennis, Cass Barn project, DRC2003-00032 and DRC2003-00075, Hearing Item #1, thus this letter.

As Chair of the Cayucos Land Use Committee I would like to state that both the Land Use Committee and the Advisory Council were not in support of the variances, as they cannot be justified in supporting the "look and feel" to support the historical significance of this structure.. First and foremost—the proposed project does not replicate, nor even come close to being an exact replica of the Cass Barn. Its a house, that looks similar to a barn, but has NO historical significance to the Cass Barn. Other concerns:

- The committee and Council on several occasions invited the applicant to attend meetings to discuss, review and work together on the concerns for the proposed project. The applicant, nor a representative, did not attend these meetings.
- The last change, of a deck being inserted into the roofline, was never brought before the Land Use Committee. This alters the "look and feel" of the structure, reinforcing even further that there is NO resemblance to the ORIGINAL look of the barn .
- The project's only similarity to the historical Cass barn is only "somewhat of the 'outline'" of the building. Yet, upon studying it closer, one can see that it really does not represent "the look and feel" of the actual barn. Comparisons are:

Original Cass

No cupola/chimney
No skylights
No windows on sides
Side-walls are only 4-5 ft. high
Barn height was approx 18-19 ft.

Roof pitch 7:12
Low roof profile
No loft doors/windows
NO DECK on roofline

Proposed Building

3 ft. high x 10 ft. cupola/chimney
several are being proposed
several are being proposed
proposed will be 17ft
proposed will be 28ft., plus
raised with fill of 3-5 ft.
roof pitch 6:12
much higher
several are being proposed
open deck-broken up roofline

[HAVE ALSO INCLUDED A DRAWING TO SHOW VISUALLY THE DIFFERENCES FROM ORIGINAL TO THE NEWLY PROPOSED]

The original barn (1876) was 53 x 53 feet; 10 ft were added to the barn's front in 1885. Also, Parker Associates Report recommends re: alternatives—if demolished replace with EXACT replica (external features only). The proposal is not exact, or even close.

It is also noted that the building has been "prominently featured in the 1883 History of SLO County", and the Cass complex of buildings was listed in the CA Inventory of Historic Resources. Doesn't this require extensive historical and archaeological work on this area? Or at the least that a more precise, exact renovation, preservation take place?

5-44

Regarding applicable PLANNING STANDARDS:

HEIGHT:

The only standard being followed is for the height of the structure – 28 feet. Yet the applicant is also requesting a 3 ft. x 10 ft. cupola above the allowed 28ft.. This is to supposedly house elevator equipment, and yet is requesting its acceptance as a chimney. Most chimneys may be three feet tall, but certainly not 10 feet wide. The elevator equipment can be housed elsewhere. Besides, a cupola was never on the original roofline, thus lending to another exception or alteration to the “look and feel” of the structure. It actually appears to be requested to allow for headroom in the loft below.

SETBACKS:

- Side setbacks for a SFR should be a minimum of 5 ft. The project is proposing 4 ft, 11 inches. Why a variance for one inch? One more inch would make it conforming and in compliance Estero Area Plan Standards. The Planning Dept. likewise supports the added inch to comply with the standards.
- Front setback of 25 ft. is being adhered to
- Rear setback standards are for a minimum of 10 ft, yet the request is for 3 ft. Why? This structure is completely being demolished and a new structure is to replace it, so why shouldn't current standards be followed? Besides, this side of the building faces an alley. All parking provided for the building will be inside, so when anyone comes to visit—where do they park? Do they clog the alley? Do they park in the neighbor's spots? If the required setback were enforced this issue would be mitigated to some degree and would be in conformance with current Estero Area Plan standards. Why do we apply future standards on this project, when for past projects we have usually been told that future standards cannot be enforced, they are not the current rules, and yet for this project, they are now being deemed as acceptable? In fact those standards are for CR zoning and not for current zoned RMF for a proposed SFR.

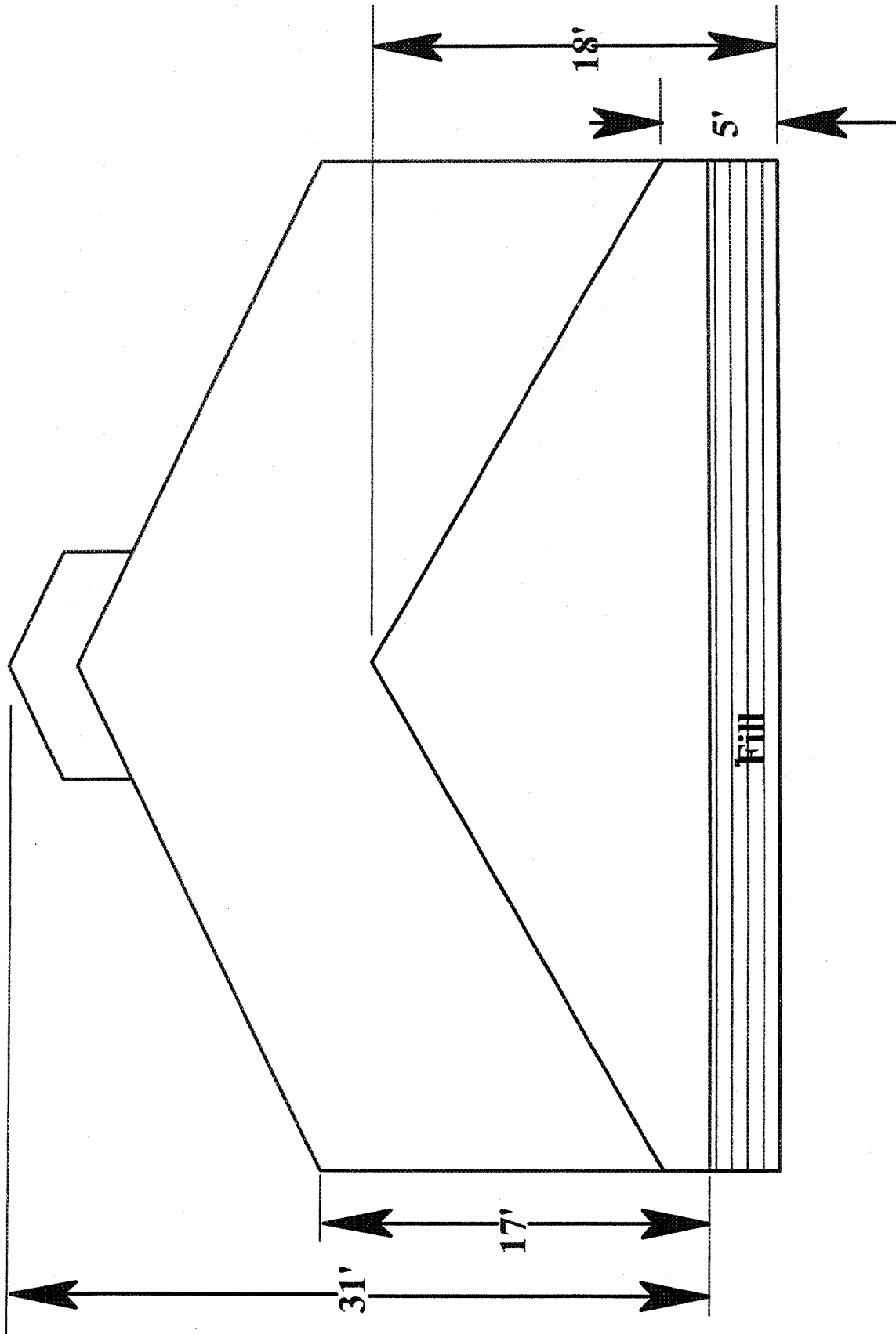
We are in agreement that something needs to be done with the Cass Barn, but the project as proposed does not meet with the community's idea of what the “look and feel” of renovating or preserving the historical integrity of the original Cass Barn should be. If the applicant would reconsider the design and work more closely with the community by attending and discussing the project in greater detail with all concerned community members perhaps better compromises/understanding could be reached. *We as the Land Use Committee would therefore like to request that the applicant reconsider resubmitting and discussing, together, plans that will preserve, and/or replicate more the historical significance or “look and feel” of the Cass Barn .*

Sincerely,

Mary Ann Carnegie
Chair, Land Use Committee
Cayucos Citizens Advisory Council

Attachment: drawing to compare building outlines of the proposed project with the original Cass Barn

5-45





Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

5-46

PLANNING COMMISSION

MEETING DATE January 27, 2005	CONTACT/PHONE Mike Wulkan, project manager 781-5608	APPLICANT Randall Dennis	FILE NO. DRC2003-00032, DRC2003-00075
SUBJECT Request by Randall Dennis for a Minor Use Permit/Coastal Development Permit/Variance to: a) allow demolition of the Cass barn, b) allow construction of an approximately 4,600 square-foot single-family residence in its place, including an approximately 1,200 square-foot garage on a portion of the lower level, c) reduce the required side yard setbacks from five feet to four feet, 11 inches, and d) reduce the required rear yard setback from 10 to three feet. The project will result in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel that is currently developed with an approximately 900 square-foot commercial building and a parking area. The proposed project is within the Residential Multi-Family land use category and is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq 2. Approve Minor Use Permit DRC2003-00032 and Variance DRC2003-00075 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 16, 2004 for this project. Mitigation measures are proposed to address cultural resources and are included as conditions of approval.			
LAND USE CATEGORY Residential Multi-Family	COMBINING DESIGNATION Local Coastal Program, Flood Hazard	ASSESSOR PARCEL NUMBER 064,094,032	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Communitywide #1: Building Permits – District Authorization Required RMF#2: Height Limitation <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Sections 23.04.100 – Setbacks, 23.04.120 – Heights, 23.05.040 et seq., 23.05.050 – Drainage, 23.07.060 et seq. – Flood Hazard Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
EXISTING USES: Retail sales/wine tasting			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Multi-Family/single family residential <i>East:</i> Commercial Retail/single family residential <i>South:</i> Recreation/parking lot <i>West:</i> Residential Multi-Family/two-unit residential Planned Development			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

5-47

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council, Public Works, Cayucos Fire Protection District, Cayucos Sanitary District, and the California Coastal Commission	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cayucos Fire protection District	ACCEPTANCE DATE: April 14, 2004
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242	

PROJECT HISTORY:

In May 2000, the Planning Commission approved a Development Plan/Coastal Development Permit to allow the conversion of a lumber loading dock into an approximately 900 square-foot wine sales and tasting room on the front portion of this site (D990005D, Dennis/Keys).

PROJECT ANALYSIS:

Ordinance Compliance:

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	1,750 square feet	7,900 square feet (approx.)
Density	15 dwelling units per acre	1 unit (5.5 units per acre)
Intensity	3 dwelling units	1 dwelling unit
Setbacks		
Front	Min. 25 feet	Min. 25 feet
Side	Min. 5 feet	4 feet, 11 inches
Rear	Min. 10 feet	3 feet
Height	28 feet	28 feet
Parking	2 spaces	3 spaces

Landscaping: Not required or proposed

Fencing and Screening: Not required for residential use; 6-foot high fence proposed along west property line adjacent to proposed residence

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COMBINING DESIGNATIONS

Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)

The proposed project is appealable to the Coastal Commission because the site constitutes proposed development within 300 feet from the beach.

Section 23.07.060 – Flood Hazard Area (FH)

The proposed project is consistent with applicable flood hazard standards, because as conditioned, the proposed single-family dwelling will be subject to drainage plan approval by the County Engineer, will be sufficiently elevated above the 100-year storm flood profile, and will otherwise comply with the flood hazard standards in Section 23.07.060 et seq. and the drainage standards in Section 23.05.050 and Section 23.05.044 et. seq.

PLANNING AREA STANDARDS: The following sections discuss the planning area standards that apply to this project

Cayucos Residential Multi-Family Standard #2: Height Limitation

The proposed dwelling is 28 feet high, consistent with the height limitation in RMF standard #2. The grade of the site is to be elevated up to about three feet above the natural grade in order to meet flood hazard standards. In such cases, the 28-foot building height is measured from the resulting finished grade, in accordance with Section 23.04.122 of the Coastal Zone Land Use Ordinance. As a result, the proposed dwelling will be approximately 31 feet high if measured from the existing, natural grade. The plans show a chimney that projects three feet above the roofline, as allowed by Section 23.04.124 of the Coastal Zone Land Use Ordinance.

COASTAL PLAN POLICIES: The most relevant policies are discussed below.

Shoreline Access: ☒ Policy No. 2: New Development The proposed project is consistent with this policy that new development provide maximum public access from the nearest public roadway to and along the shoreline, with exceptions, because adequate vertical access to the coast already exists within 1/4 mile of the site, and because the project will not interfere with public access to the coast.

Recreation and Visitor Serving: ☒ N/A

Energy and Industrial Development: ☒ N/A

Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A

Environmentally Sensitive Habitats: ☒ N/A

Agriculture: ☒ N/A

Public Works: ☒ N/A

Coastal Watersheds: ☒

Visual and Scenic Resources: ☒ N/A

Hazards: ☒ Policy Nos. 1 and 3: New Development and Development Review in Hazard Areas. The proposed project is consistent with these policies to minimize risks to human life and property, and to require detailed review of development proposals within the Flood Hazard combining designation, as described under the preceding section, "Combining Designations."

5-49
~~1-4~~

Archaeology: ☒ Policy No. 1: Protection of Archaeological Resources. The proposed project is consistent with this policy to avoid, and if not feasible, to provide mitigation for development on important archaeological sites, because a condition of approval requires the applicant to retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per an approved monitoring plan.

Air Quality: ☒ N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

MAJOR ISSUES--MINOR USE PERMIT:

The major land use issue raised by the Minor Use Permit is how to preserve the historic character of the existing Cass House barn as part of the "Cass complex," recognizing that retaining the existing structure is not feasible. A detailed discussion of the potential impacts to and mitigation measures for this historic resource is included in the attached Initial Study.

The Cass barn is considered to be of historical significance due to its relationship to the other buildings that comprise the Cass complex of buildings, including the adjacent Cass house and the Cass barn and outbuildings (Parker & Associates, 1999). This complex comprises a recorded archaeological site that is also listed in the California Inventory of Historic Resources (DPR 1976).

Although the Cass barn is considered to be an historic structure, it lacks sufficient integrity that would allow for re-use/rehabilitation. A report by a structural engineer (Charles E. Moore, November 2004) determined that preserving and restoring the existing barn is not feasible, because the structural members of the building are inadequate and the building lacks structural integrity, the building is a fire and safety hazard, and almost none of the building materials are salvageable. Therefore, restoration of the existing barn is not a feasible alternative. As a result, demolition of the barn will result in a loss to the overall appearance and make-up of the "Cass complex," and will result in a loss of historic information.

In order to mitigate the potential impacts to historic resources, the project will be required to incorporate measures (recommended in the Cultural Resource Investigation prepared by Parker & Associates) that aim to recreate the "look and feel" of the original structure and establish an historic record of the original structure. Also important in preserving the character of the Cass complex is the proposed location of the new structure that will preserve the prominent visual status of the Cass House along North Ocean Avenue. Mitigation measures are incorporated into the attached conditions of approval that require:

- a) Recording historical information relating to the barn, including the structure itself
- b) Monitoring grading by a qualified archaeologist/historic resource specialist
- c) Using materials from the Cass Barn on the exterior of the new structure wherever possible, and painting the new structure either white or "barn red"
- d) Using design elements in the new structure that mimic and are consistent with elements on the existing Cass Barn, and locating skylights on the side of the roof that slopes away from the Cass House.

In addition, the proposed design of the new structure includes features that help satisfy the preceding mitigation measures and that help retain the original look of the Cass Barn. They include:

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- 1) Maintaining a size and location on the site that are similar to that of the Cass Barn, and proportions and shape that are essentially the same as those of the Cass Barn
- 2) Recreating the loft doors and the main sliding barn doors on the south elevation
- 3) Recreating the horse stall windows on the east and west elevations
- 4) Locating skylights on the west elevation away from the Cass House

There is one key aspect in the design of the proposed dwelling that is not consistent with the original look of the Cass Barn. The proposed plans include a recessed deck on the upper story that is cut into the roofline on the rear one-third of both the east and west elevations of the building. On the east elevation, the deck is cut about three feet into the roofline (see attached elevations). However, it will be visible as seen from the height of a person looking from the key viewing area along North Ocean Ave. The deck, which will appear as a notch cut into the roofline, will detract from the overall appearance and make-up of the "Cass complex" of buildings. Therefore, this proposed deck should be located only on the west elevation that faces away from the Cass House, just as the skylights are required to be located on the west elevation. Accordingly, the attached conditions of approval require elimination of the recessed deck on the east elevation.

MAJOR ISSUES—VARIANCE AND VARIANCE FINDINGS:

The applicant is requesting a Variance for the proposed single-family dwelling to reduce the required side yard setbacks from five feet to four feet, 11 inches, and to reduce the required rear yard setback from 10 to up to three feet (the existing Cass Barn has minimal side setbacks--zero feet on one side--and encroaches into the alley on the rear). The applicant asserts that the Variance is necessary to maintain the relative mass of the Cass barn and to reduce the costs of reconstruction, while providing an increased parking area in the front portion of the lot.

Although the requested side yard setbacks of four feet, 11 inches are only one inch short of the required five-foot side setbacks, staff finds it difficult to make the required findings; in particular, the finding that:

"There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, and because of the absence of these circumstances, the strict application of this Title would deprive the property of privileges enjoyed by other property in the vicinity and in the same land use category."

The applicant's justification that the reduced side setbacks are needed, in part, to reduce reconstruction costs (apparently due to the use of a prefabricated steel frame that comes in a true 44-foot width), is not a relevant consideration in the required findings. Therefore, staff does not support a Variance to the side yard setbacks.

Staff supports and is able to make the required findings for reducing the required rear yard setback from 10 feet to five feet (instead of three feet), because of the following special circumstances that relate to the property and its surroundings (please see Exhibit A for the complete findings):

1. A five-foot rear setback maintains the proportions of the historic Cass Barn, while maintaining the required side setbacks as recommended by the Cayucos Fire Protection District, and while enabling the existing commercial parking lot on the front portion of the site to more fully comply with standards for the number and size of parking spaces.

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2. The rear property line abuts an alley, which together with a five-foot rear setback, provides a 25-foot wide effective setback to the adjacent residential land use category to north.
3. A five-foot rear setback is consistent with the required setback for this site under the Board of Supervisors-approved Estero Area Plan update (that is not yet effective), which changes the land use category of this site to Commercial Retail. In that category, a five-foot rear yard setback is required where an alley intervenes between the Commercial Retail category and a residential use.

The recommended rear setback variance does not constitute a grant of special privileges, because this site differs from other properties in the vicinity due to the existing historic Cass Barn and the existing parking lot that does not fully comply with parking requirements. In addition, the recommended Variance does not authorize a use that is not otherwise authorized in the land use category, because the proposed single-family dwelling is allowable in the Residential Multi-Family land use category. In addition, granting the recommended Variance does not adversely affect public health, safety or welfare, and is not injurious to nearby property or improvements, because a five-foot rear setback, together with the adjacent alley, provides adequate light, air, fire safety, and setbacks from adjacent residential land use categories, and does not interfere with public use of the alley.

COMMUNITY ADVISORY GROUP COMMENTS:

As detailed in the attached letter dated September 13, 2004 from the Chairperson of the Land Use Committee of the Cayucos Citizens Advisory Council (CCAC), the Advisory Council agrees that the Minor Use Permit for construction of the single-family residence acceptable. However, the CCAC does not support the requested Variance. The CCAC's position is that since the historic barn is to be demolished and a new single-family dwelling constructed, that all setbacks should be met without any exceptions. The CCAC further states that the proposed building does not resemble the Cass Barn, and questions whether the historic integrity of the barn is being preserved, as several proposed features, such as skylights, various windows, and the cupola, do not resemble the barn.

PUBLIC COMMENTS:

Two nearby property owners have contacted staff about this proposed project. Both are opposed to the proposed Variance. The owners stated that a reduced rear setback would interfere with access and parking in the alley.

AGENCY REVIEW:

Public Works--recommend approval; insure alley improved to fire department requirements; drainage plan needed

Cayucos Fire Protection District--fire sprinklers needed; insure side setbacks are adequate and maintained

LEGAL LOT STATUS:

The existing parcel is a legal lot per Certificate of Compliance O.R. 02-059560.

Staff report prepared by Mike Wulkan and reviewed by Matt Janssen

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 16, 2004 for this project. Mitigation measures are proposed to address cultural resources and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because a single-family dwelling is an allowable use in the Residential Multi-Family land use category, and because, as conditioned, the project is consistent with all of the General Plan policies, including applicable Coastal Plan policies regarding hazards and archaeology.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code, including Sections 23.05.040 et seq. and 23.05.050 regarding drainage, and 23.07.060 et seq. regarding flood hazards.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed single-family residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address potential flood hazards and other health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed single-family residence is similar to, and will not conflict with, surrounding primarily residential uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed single family residence will take access from Cayucos Drive via the alley in between North Ocean Avenue and Ash Avenues. The alley is required to be improved to meet the standards of the Cayucos Fire Protection District, and Cayucos Drive is currently operating at an acceptable level of service, and is expected to operate at an acceptable level at buildout of the community. Therefore, the access roads will be able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because adequate vertical access to the coast already exists within 1/4 mile of the site, and because the project will not inhibit access to the coastal waters and recreation areas.

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Variance

- A. The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and land use category in which it is situated because this site differs from other properties in the vicinity in several respects: 1) there is an existing historic structure on the property, and environmental mitigation measures necessitate maintaining the historic character of the "Cass complex," 2) there is an existing parking lot on the front portion of the lot does not fully comply with parking requirements, and 3) a pending zoning change would make the recommended rear setback conform with the requirements of the proposed Commercial Retail land use category.
- B. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, and because of these circumstances, the strict application of this Title would deprive the property of privileges enjoyed by other property in the vicinity and in the same land use category. These circumstances consist of the following:
1. A five-foot rear setback maintains the proportions of the historic Cass Barn, while maintaining the required side setbacks as recommended by the Cayucos Fire Protection District, and while enabling the existing commercial parking lot on the front portion of the site to more fully comply with standards for the number and size of parking spaces. Without a minimum five-foot rear setback, the existing parking lot could not meet the ordinance requirements for number and size of parking spaces for the existing commercial use, while the historic proportions of the Cass Barn are maintained, consistent with environmental mitigation measures.
 2. The rear property line abuts an alley, which together with a five-foot rear setback, provides a 25-foot wide effective setback to the adjacent residential land use category to north.
 3. A five-foot rear setback is consistent with the required setback for this site under the Board of Supervisors-approved Estero Area Plan update (that is not yet effective), which changes the land use category of this site to Commercial Retail. In that category, a five-foot rear yard setback is required where an alley intervenes between the Commercial Retail category and a residential use.
- D. The variance does not authorize a use that is not otherwise authorized in the land use category because the proposed single-family dwelling is allowable in the Residential Multi-Family land use category.
- E. The granting of such application does not, under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, and is not injurious to nearby property or improvements, because a five-foot rear setback, together with the adjacent alley, provides adequate light, air, fire safety, and setbacks from adjacent residential land use categories, and does not interfere with public use of the alley.
- F. The variance is consistent with the San Luis Obispo County General Plan, because the reduced rear setback will not conflict with any General Plan or Local Coastal Plan policies or standards.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This Minor Use Permit and Variance approval authorizes:
 - A. Demolition of the existing Cass Barn; construction of an approximately 4,600 square-foot single-family residence, including an approximately 1,200 square-foot garage on a portion of the lower level; and reduction of the required side yard setback from 10 feet to five feet.
 - B. Maximum height is 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits**, submit a revised site plan and elevations to the Department of Planning and Building for review and approval. The revised plans shall show the following. Development shall be consistent with these revised and approved plans, and with the approved floor plan and architectural elevations.
 - A. Five-foot side setbacks
 - B. A three-foot wide walkway in front of the proposed residence (instead of four feet), with the extra one foot added to the width of the handicapped parking space for the existing commercial building
 - C. Elimination of the recessed deck cut into the roofline on the east elevation.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
4. **At the time of application for construction permits**, the applicant shall submit for review and approval by the County Engineer a drainage plan in accordance with the requirements of Coastal Zone Land Use Ordinance Sections 23.05.044 and 23.07.064. The drainage plan, together with any needed supplemental documentation, shall demonstrate how the project complies with the drainage standards of Section 23.05.050 and the flood hazard standards of Section 23.07.060 et seq.
5. **At the time of application for construction permits**, the applicant shall apply to the County Public Works Department for an encroachment permit for construction of a driveway approach and any other construction within the alley between North Ocean and Ash Avenues.

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Cultural Resources Mitigation Measure

6. **At the time of application for construction permits**, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red." If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

Fire Safety

7. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to improvement of the alley to meet the requirements of the Cayucos Fire Protection District, installation of fire sprinklers meeting N.F.P.A. 13D standards, and all requirements outlined in a Fire Safety Plan to be prepared by the Cayucos Fire Protection District for this proposed project.

Services

8. **At the time of application for construction permits**, the applicant shall provide valid letters from the Cayucos Sanitary District and the Moro Rock Mutual Water Company stating they are willing and able to service the project.

Conditions to be completed prior to issuance of a construction permit

Cultural Resources Mitigation Measures

9. **Prior to issuance of a construction permit for demolition of the barn**, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.
10. **Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
 - A. List of personnel involved in the monitoring activities;
 - B. Description of how the monitoring shall occur;
 - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - D. Description of what resources are expected to be encountered;
 - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - F. Description of procedures for halting work on the site and notification procedures;
 - G. Description of monitoring reporting procedures.

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Site Development

11. **Prior to issuance of a construction permit**, drainage plan approval by the County Engineer is required (see preceding condition 4).

Fees

12. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed during project construction

Building Height

13. The maximum height of the project is 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards.
- A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
- B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
- C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Cultural Resources Mitigation Measure

14. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from the Cayucos Fire Protection District of all required fire/life safety measures.
16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

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Cultural Resources Mitigation Measure

17. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first), the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

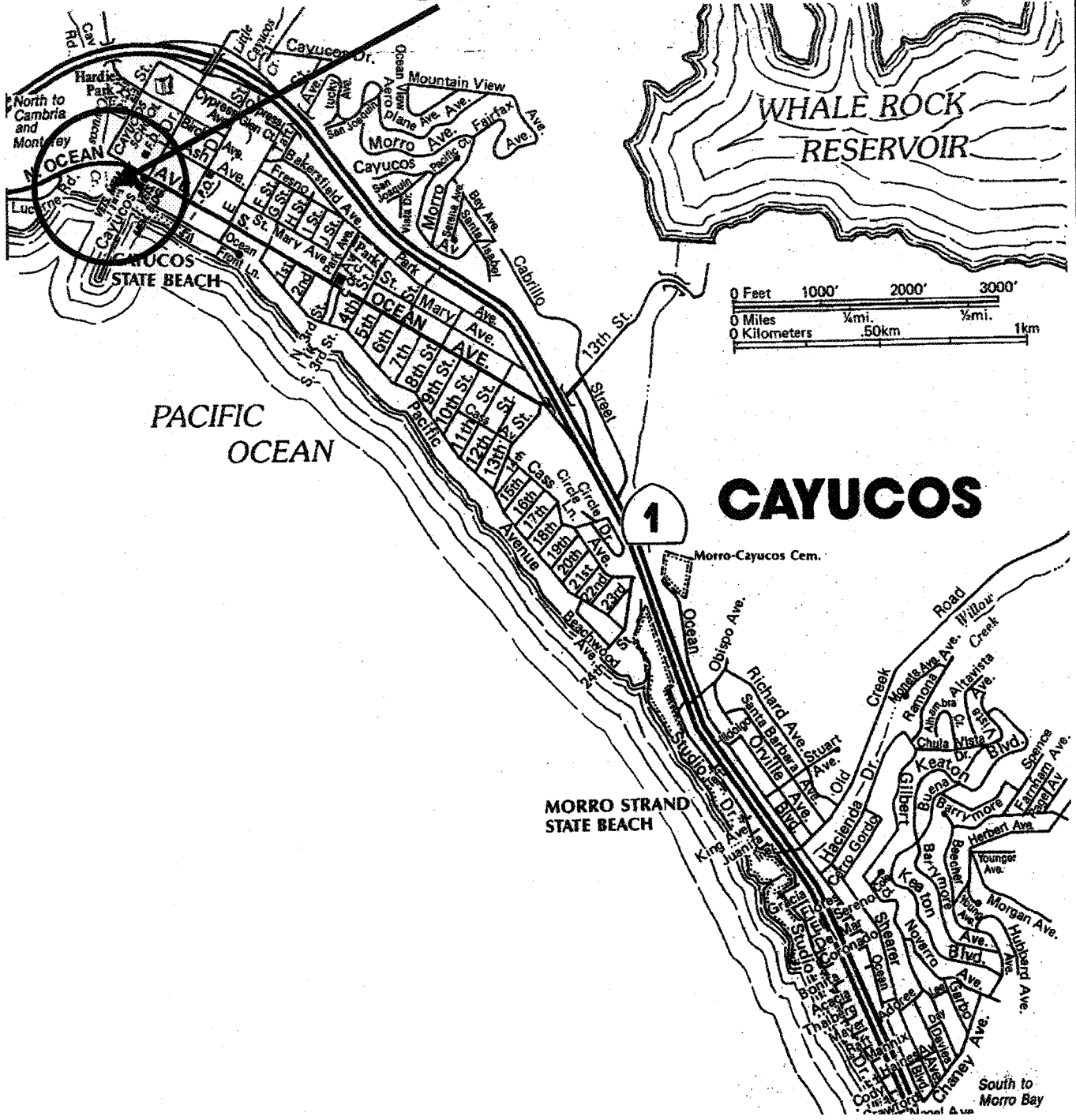
Miscellaneous

18. These land use permits are valid for a period of 24 months from the effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permits are considered vested. These land use permits are considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

Site



PROJECT

Minor Use Permit
Dennis/ DRC2003-00032

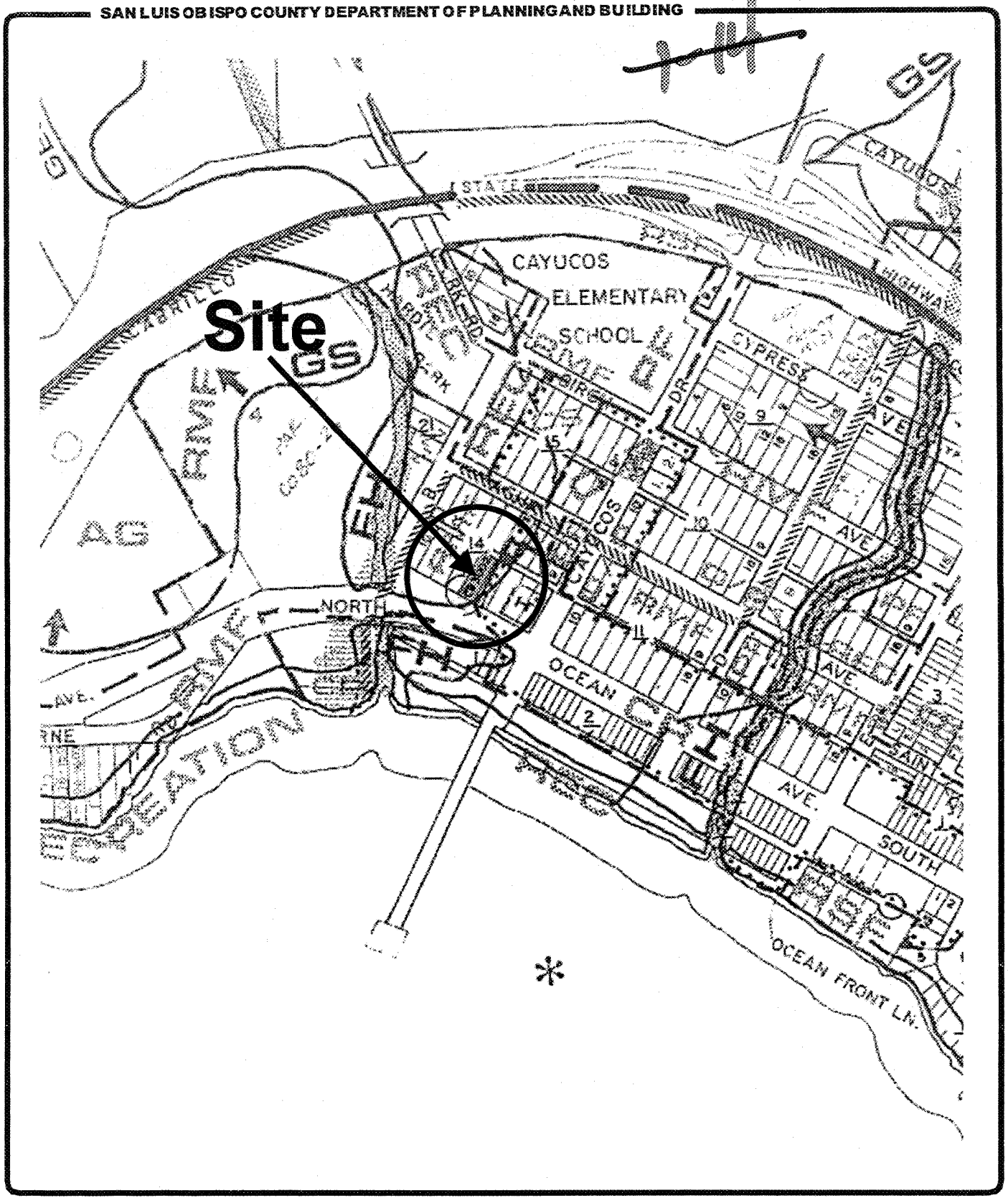


EXHIBIT

Vicinity map

5-59

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



PROJECT

Minor Use Permit
Dennis/ DRC2003-00032



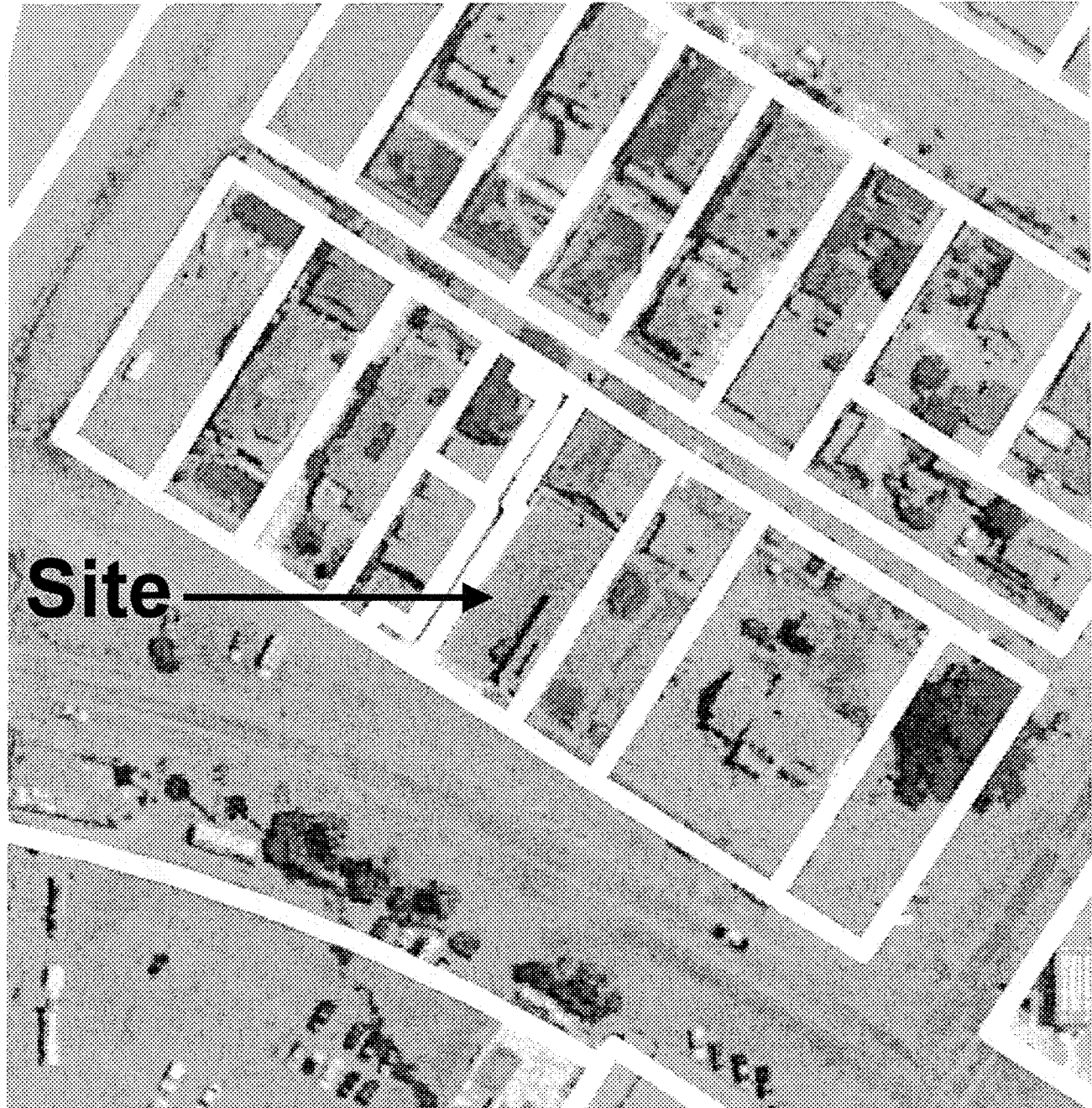
EXHIBIT

Land Use Category Map

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

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Site

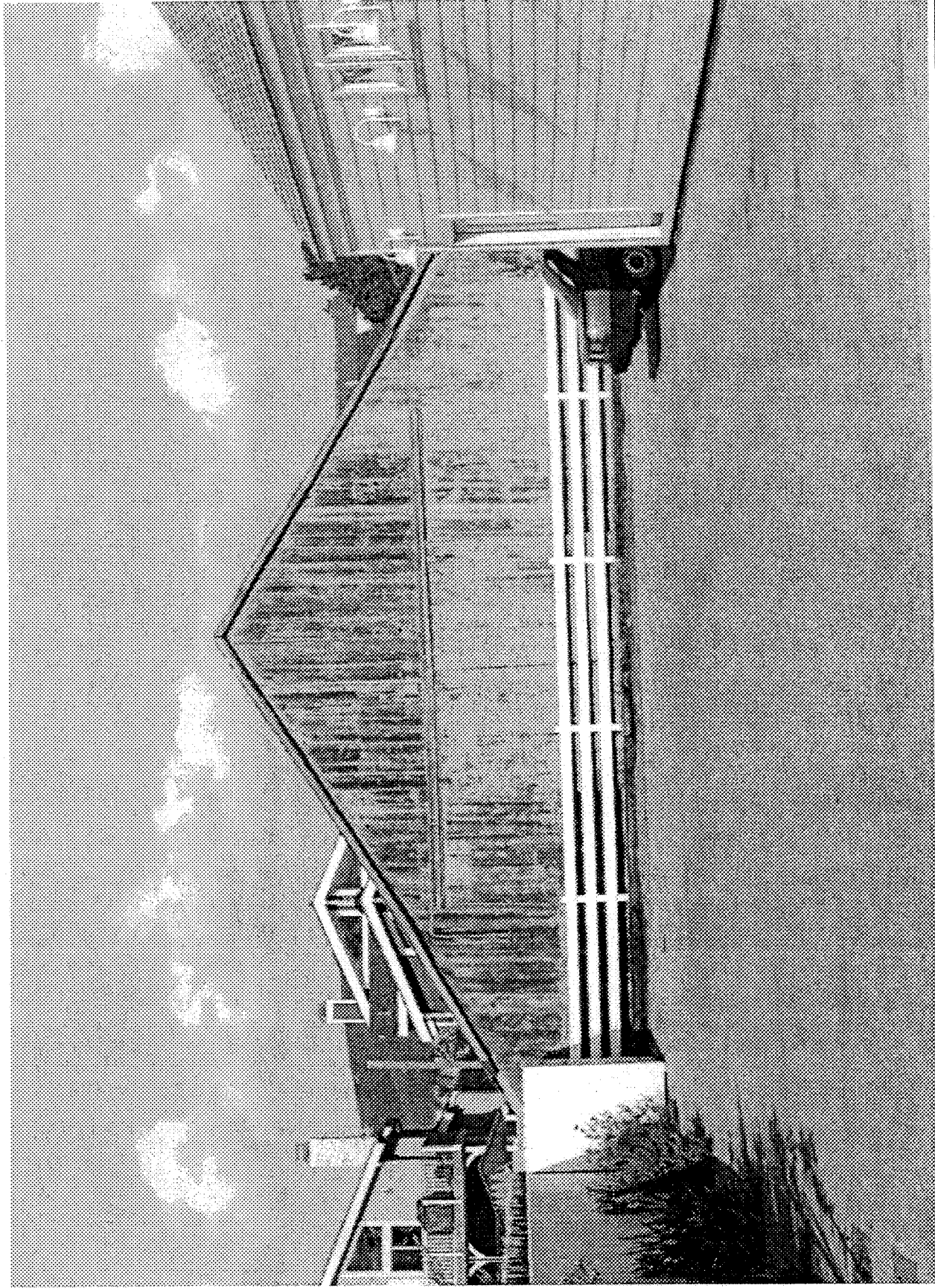
PROJECT

Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

Aerial Photograph



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Project
Minor Use Permit
Dennis/ DRC2003-00032



Exhibit
Cass Barn; View from N. Ocean Ave. (South
Elevation)

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Project
Minor Use Permit
Dennis/ DRC2003-00032

Exhibit

Cass Complex; View from N. Ocean Ave.

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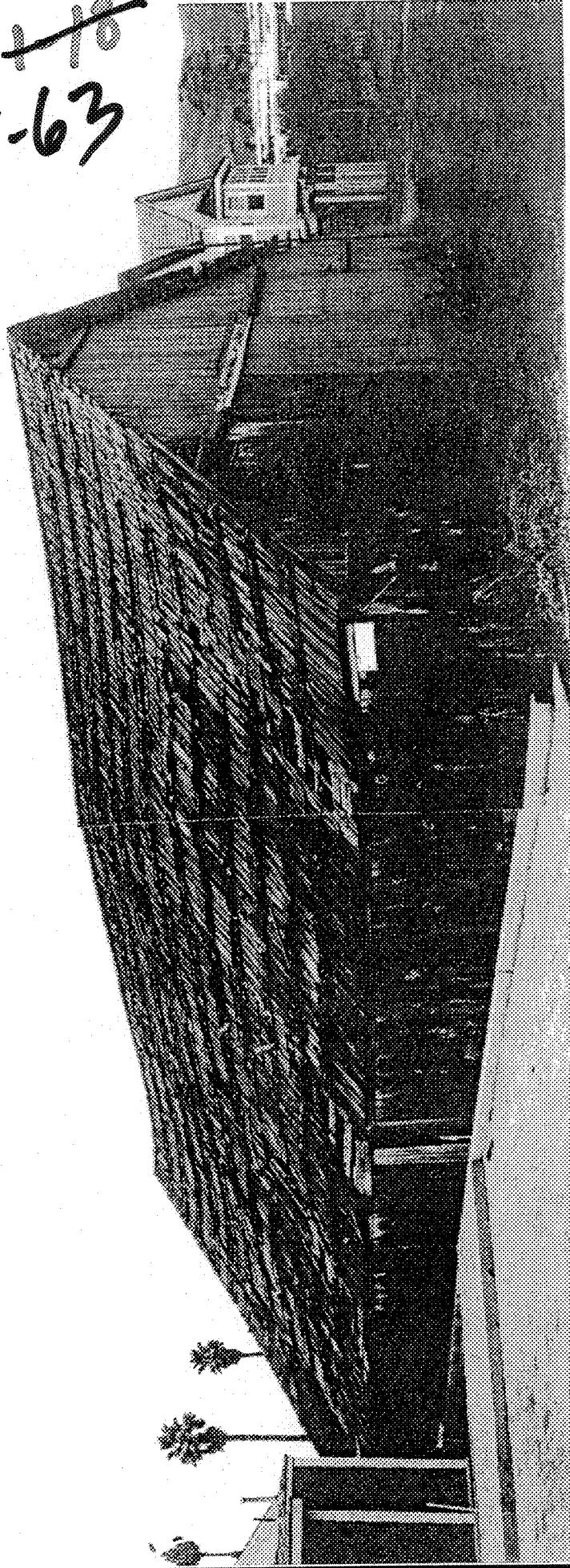
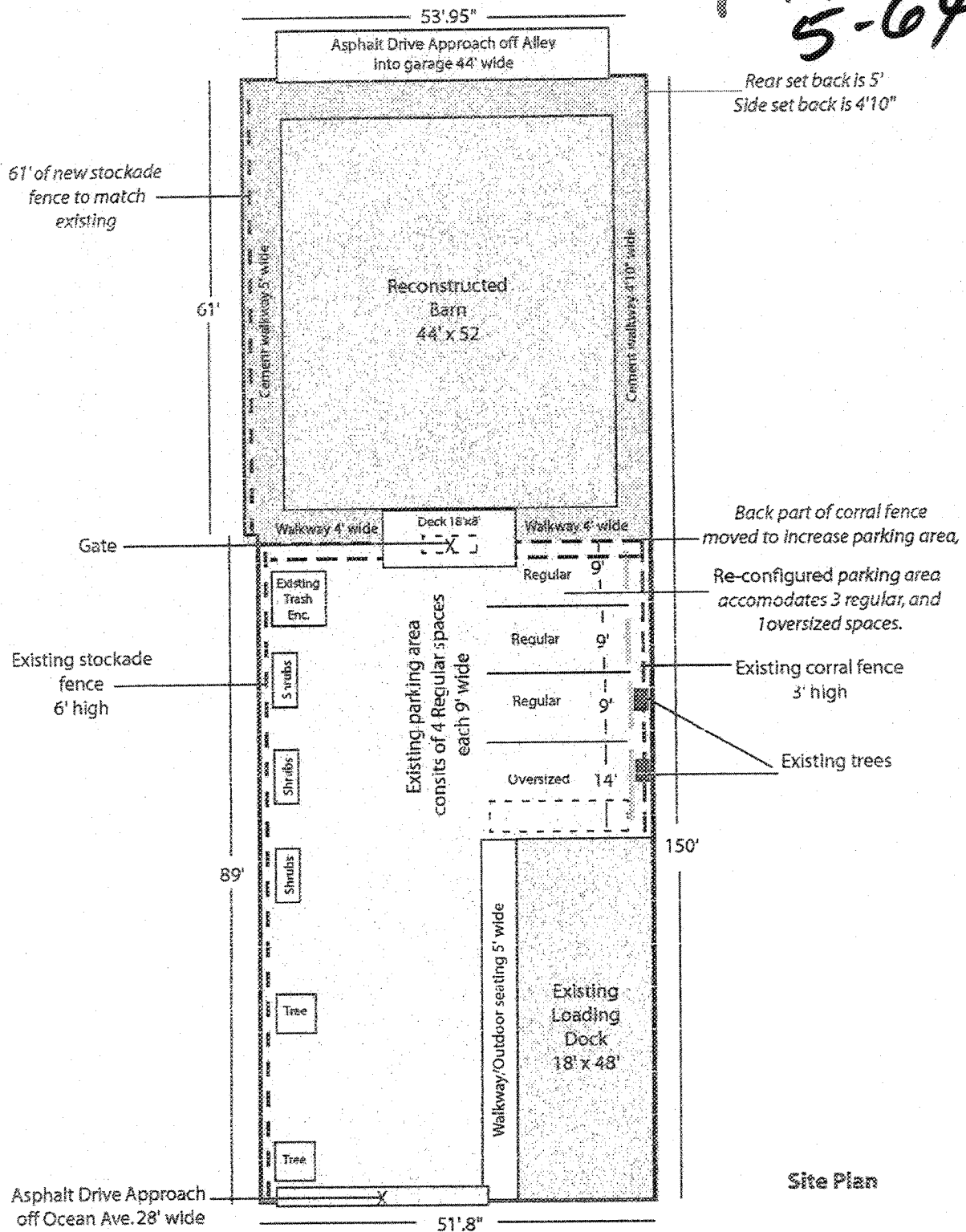


Exhibit
East and North Elevations

Project
Minor Use Permit
Dennis/ DRC2003-00032

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PROJECT

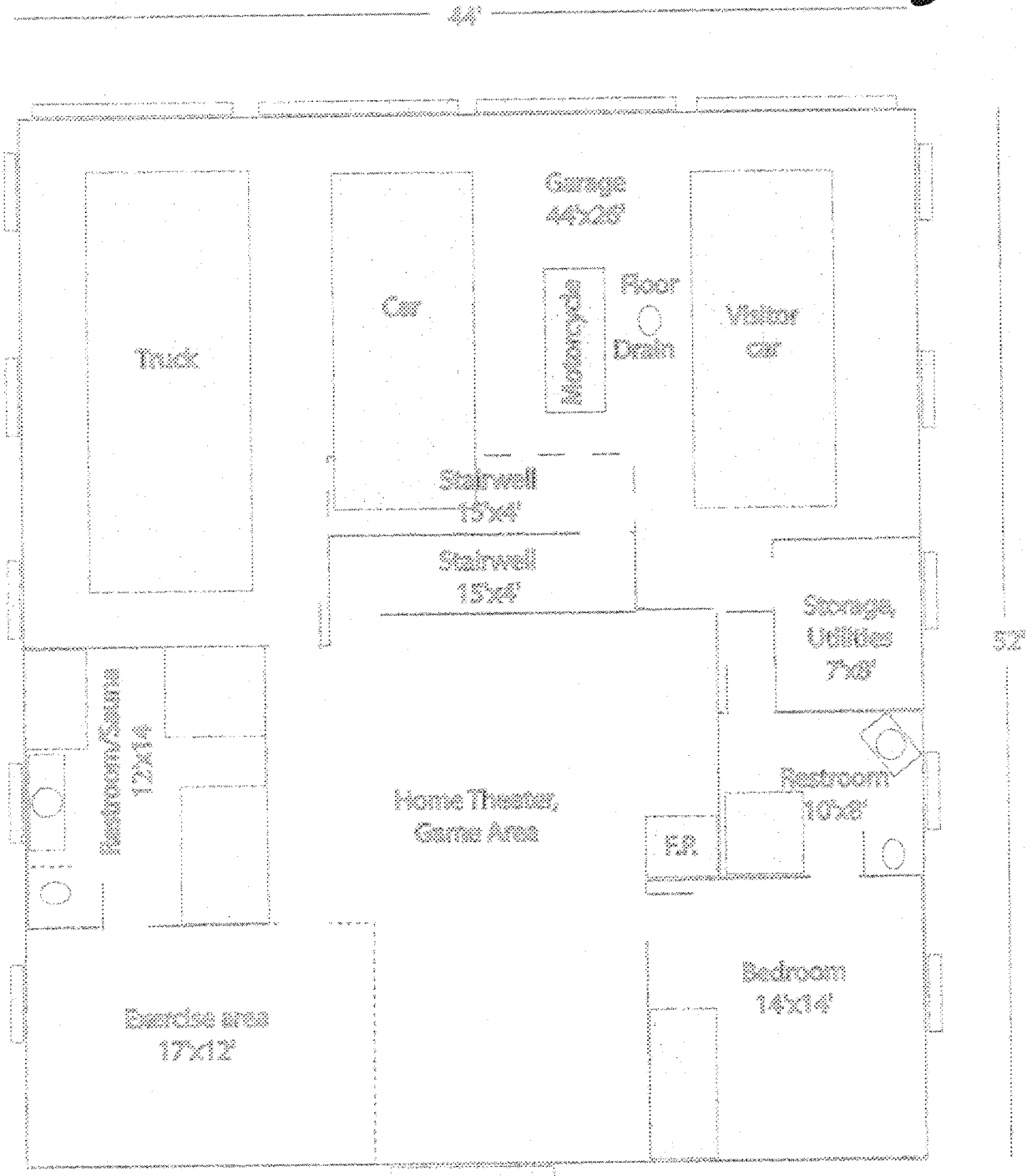
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

Site Plan

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PROJECT

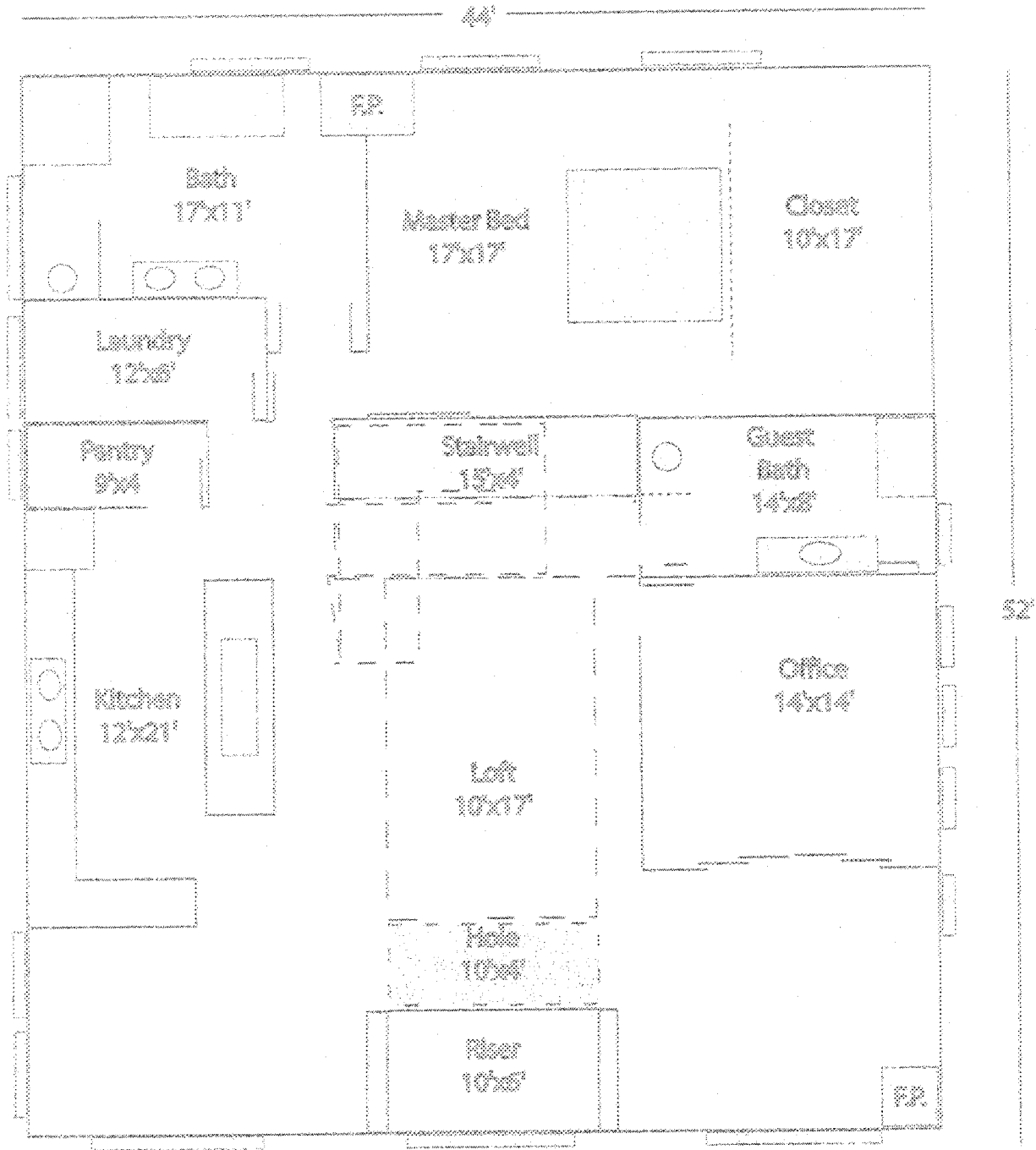
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

Floor Plan – Ground Level

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PROJECT

Minor Use Permit
Dennis/ DRC2003-00032

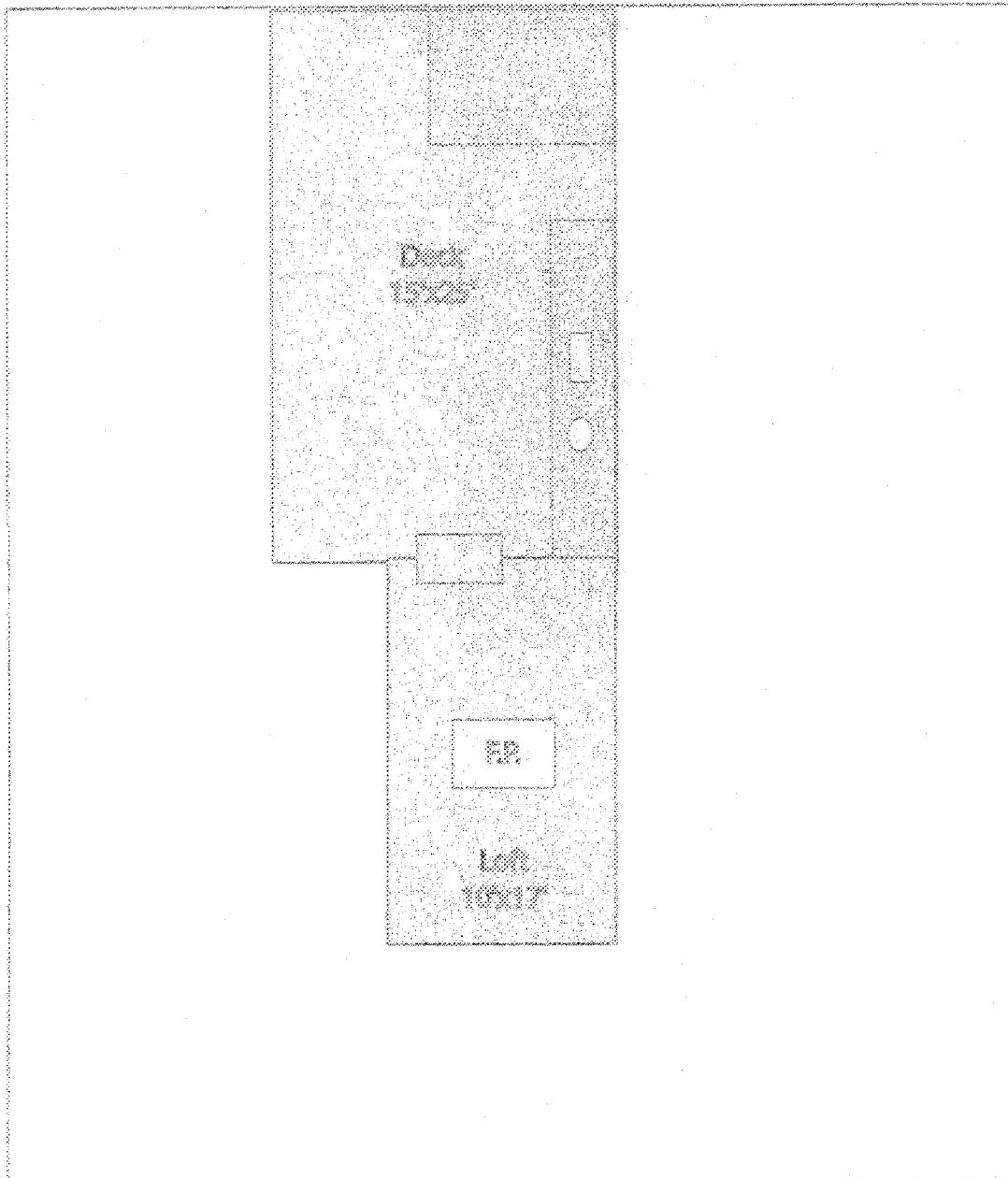


EXHIBIT

Floor Plan – Living Space

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PROJECT

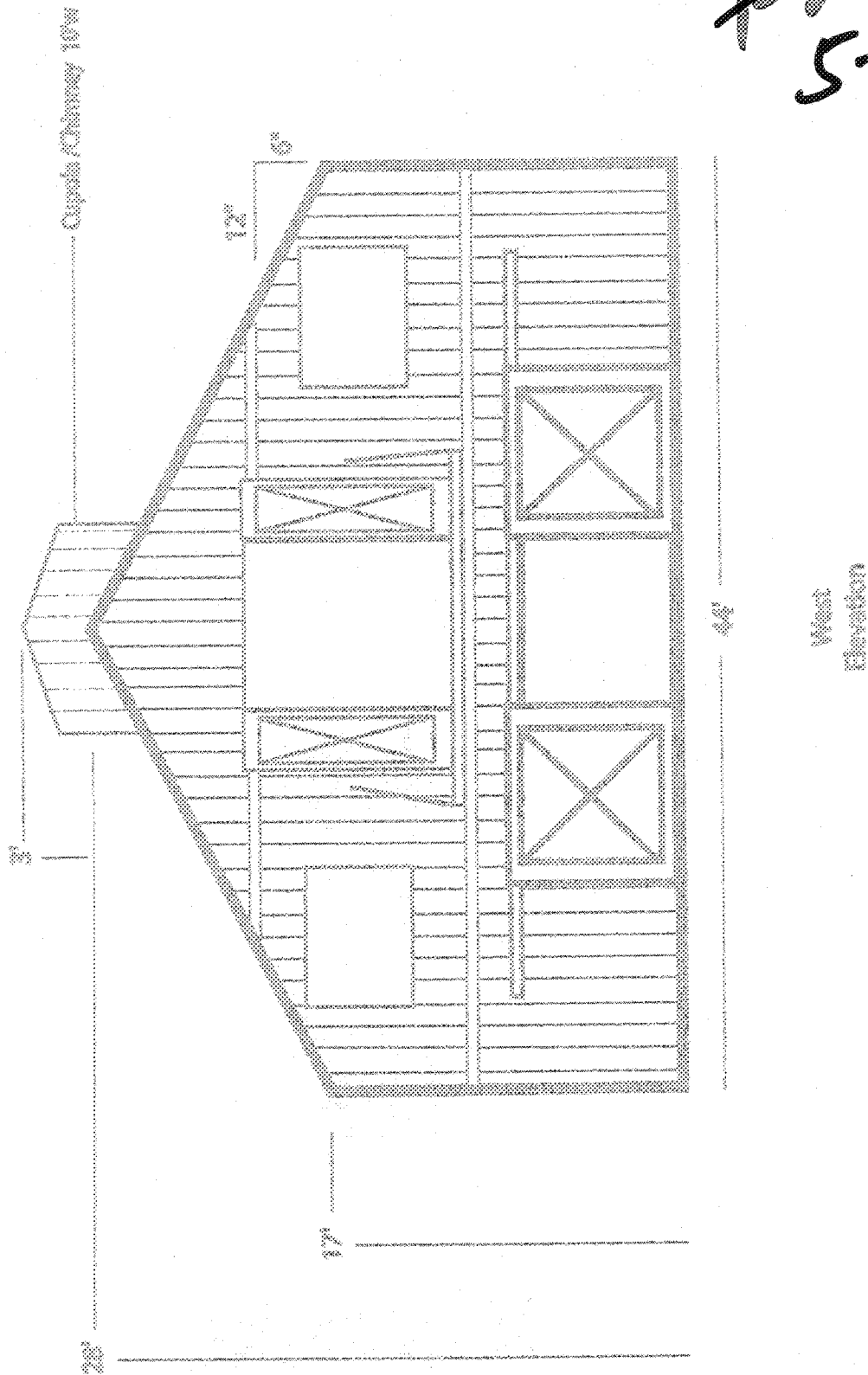
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

Loft and Deck

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5-68



PROJECT

Minor Use Permit
Dennis/ DRC2003-00032

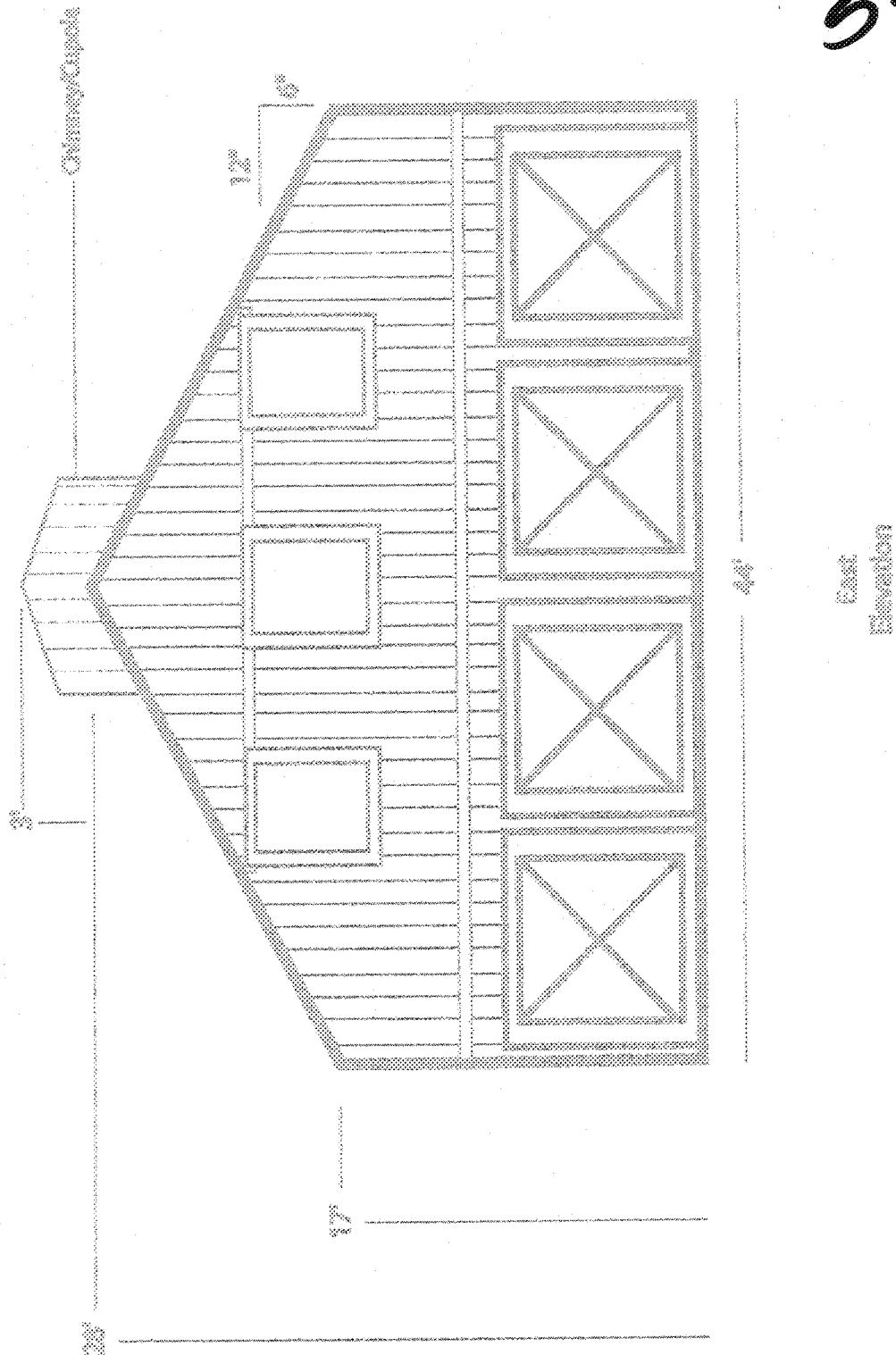


EXHIBIT

West Elevation

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5-69



PROJECT

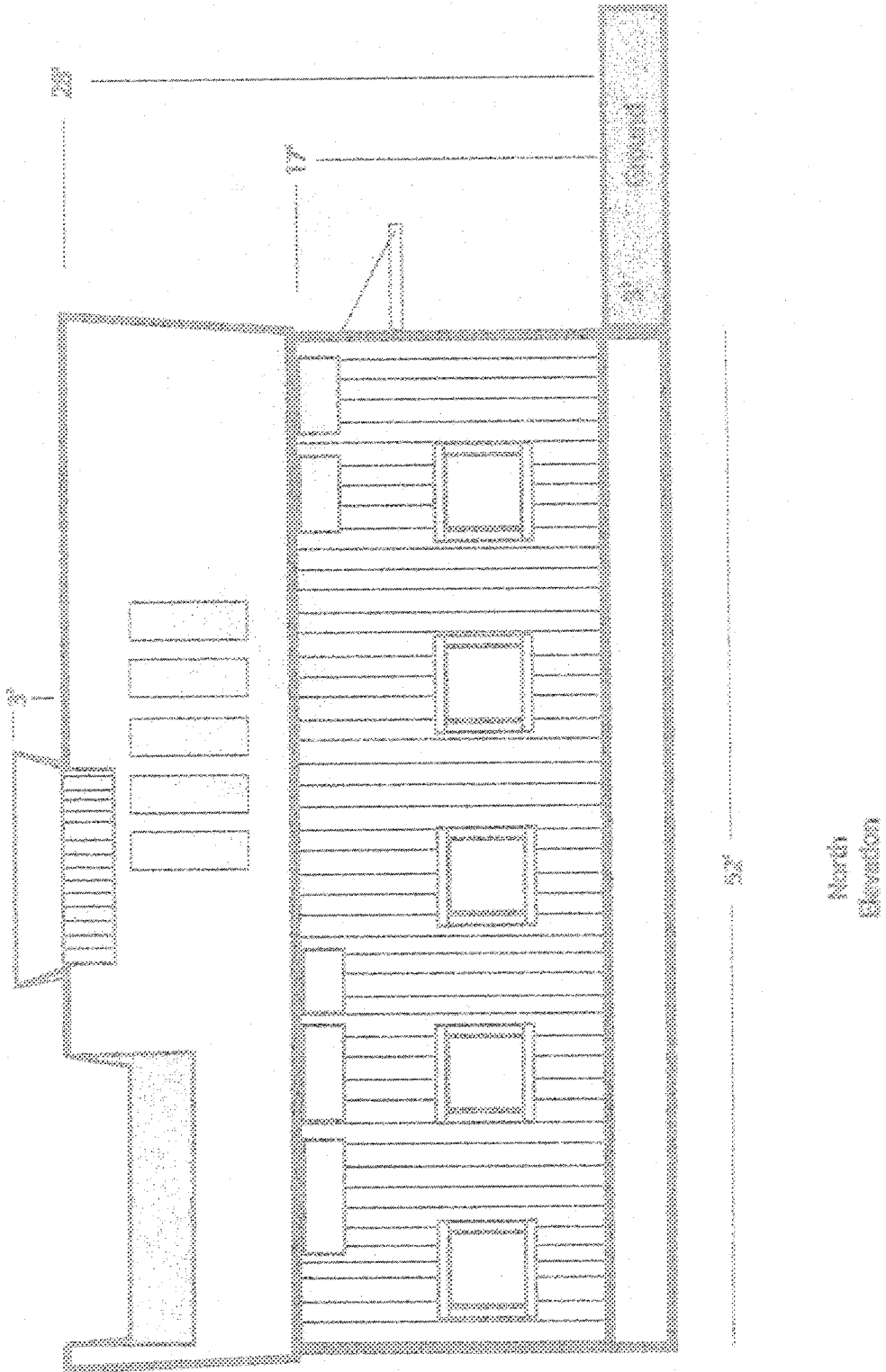
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

East Elevation

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PROJECT

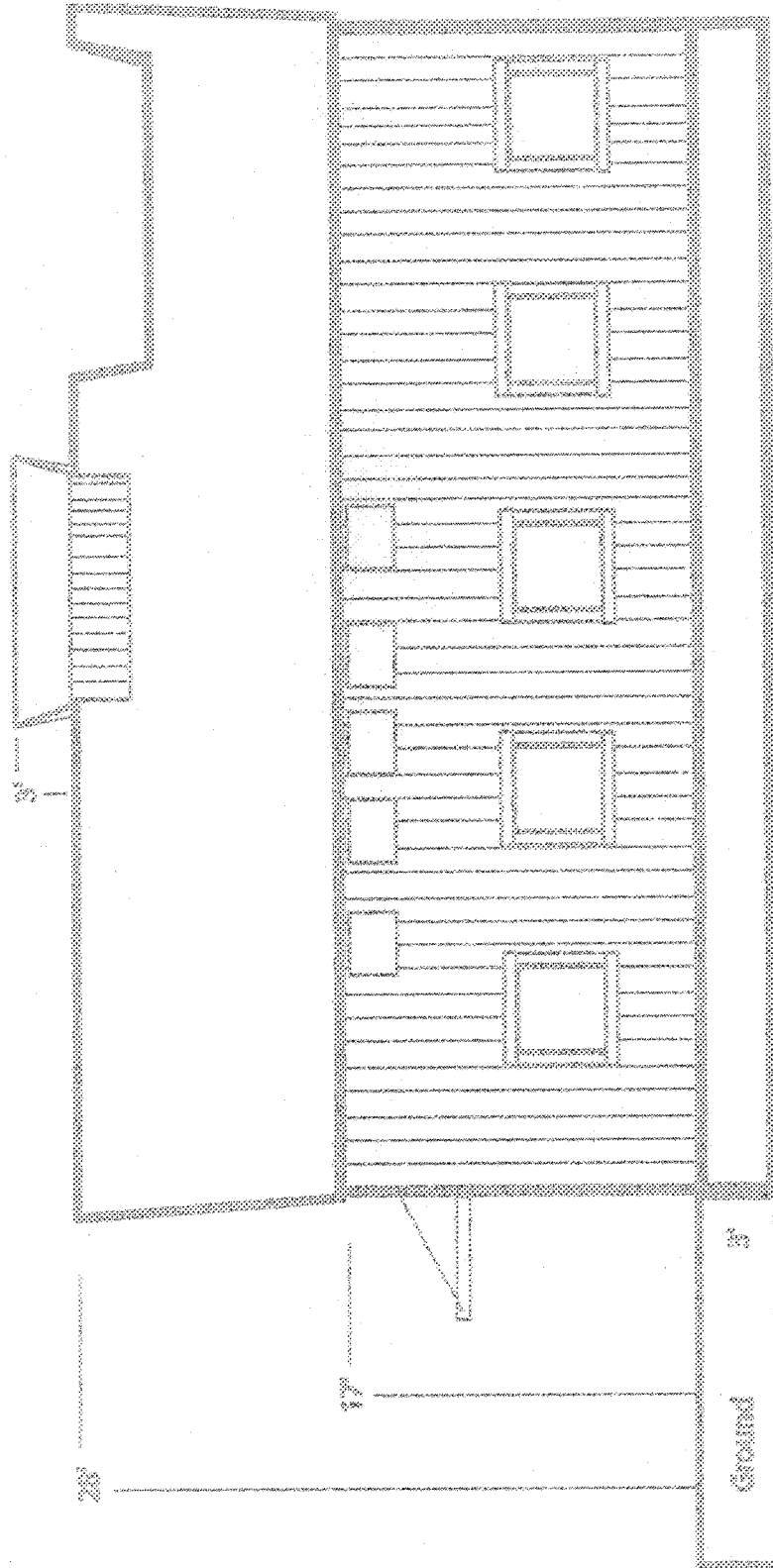
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

North Elevation

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5-71



South
Elevation

PROJECT

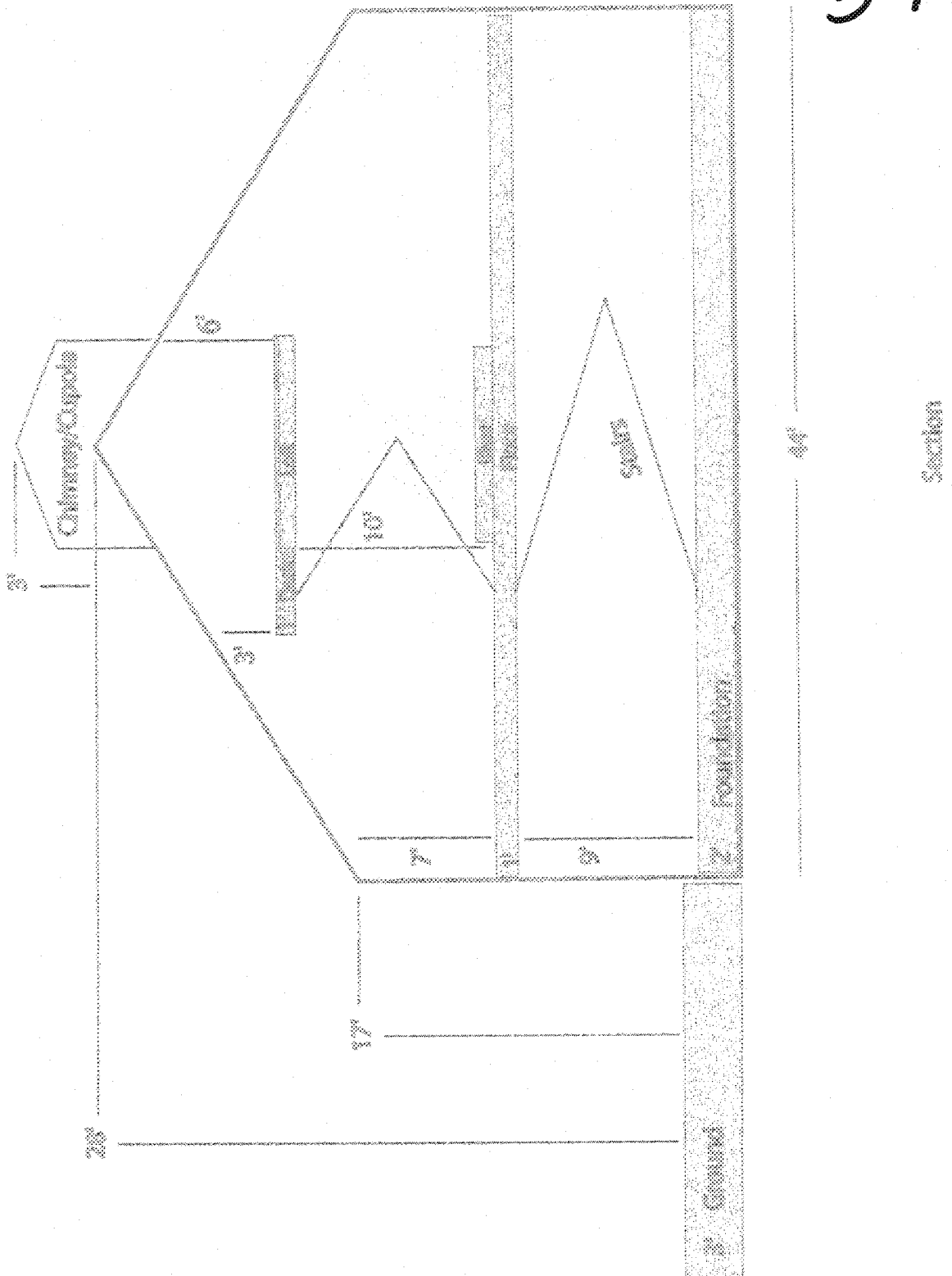
Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

South Elevation

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5-72



PROJECT

Minor Use Permit
Dennis/ DRC2003-00032



EXHIBIT

Section

5-73
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rec'd. 1/6/05
PLNG. & BLDG.
DEPT.

January 4, 2005

County Planning and Building
San Luis Obispo, California
Mr. Mike Wulkan
Coastal Planning and Permitting

Re: (DRC 2003-0032) MUP for demolition and re-construction of CASS House Barn located at
250 N. Ocean Avenue, Cayucos, CA 93430 (APN #064-094-0321)

Mike,

This letter and the attached information addresses the final items you and I have been discussing.
If there is anything else I may provide between now and the 27th please let me know.

Respectfully,



Randall Dennis

Setbacks: A variance from 5' side setbacks and a 10' rear setback to one 5' side, one 4'10" side, and a 5' rear setback is being requested as necessary for maintaining the relative Mass of the original Cass barn and to provide additional onsite parking space.

*Applicant requests that the Planning Commission consider the unique aspects of the zoning for the lot. The North side of the property which abuts to a residential lot will meet the minimum 5' side set back currently required by code. Its South side, which abuts to a RMF lot being used as a commercial Bed & Breakfast, will require no side set back. It is on this side that the 4'10" side set back is being requested. The variation to the rear set back is directly tied to increasing the available parking space in front of the barn.

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Fencing along the South property line:

There is an existing Coral style fence along the south property line in front of the parking area. It was decided between the County and applicant, during phase one of this properties development that this best preserved the view shed of the barn, keeping the historic integrity of the Cass complex and the relationship between the structures while still providing screening of cars during the day and of headlights from cars that may be entering at night.

* Applicant request that the Planning Commission consider leaving this decision alone for phase two. An enormous amount of time, effort, and money have been applied to preserving unity between the Cass Barn and Cass House properties. It is very apparent in the attached photo that a 6' high fence would all but hide the entire lower portion of the barn as it is viewed from the CASS house property.

Cut-out in the Roof:

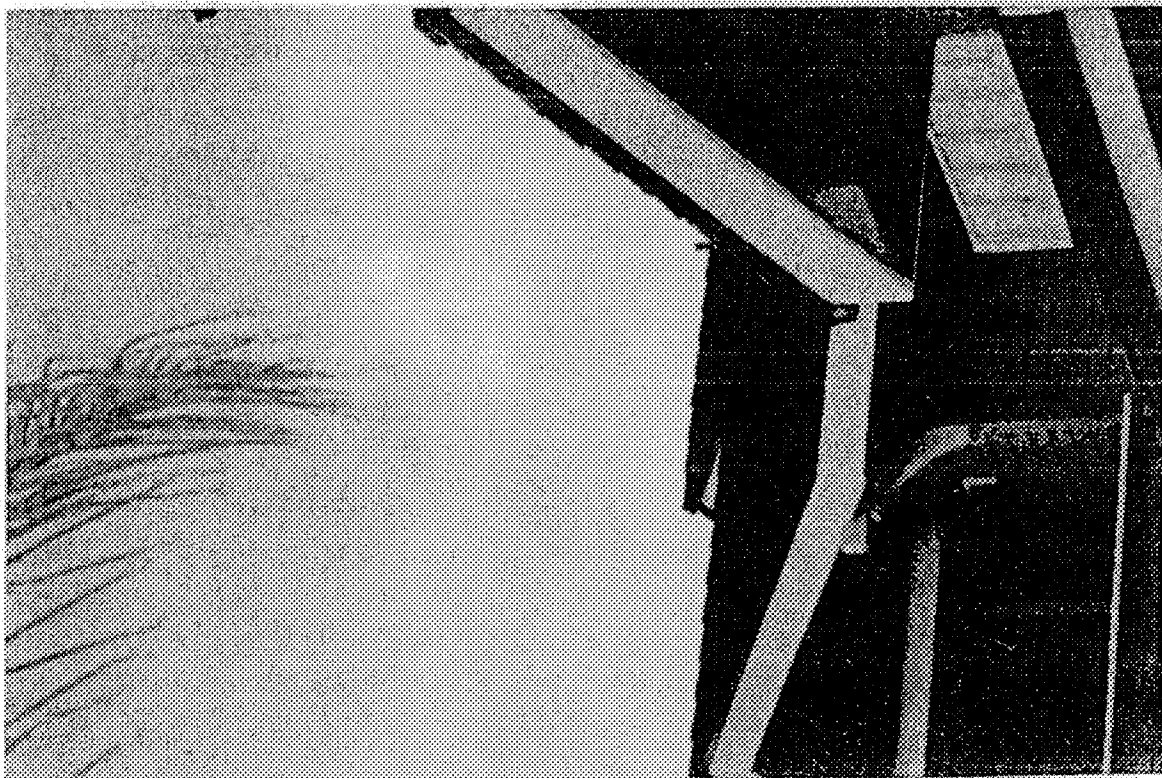
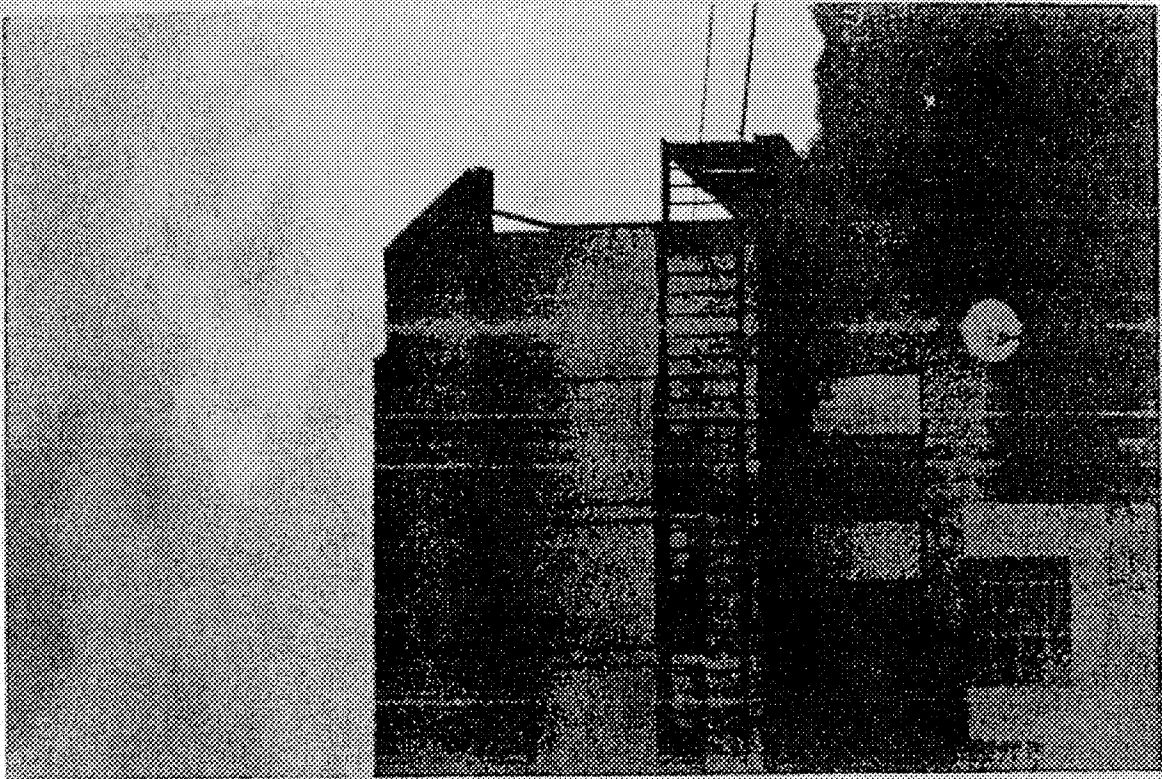
There will be a 3' section of the roof removed along the South side that will extend from the rear forward 15'. This will provide open air to the structures only private outdoor area.

* Applicant requests that the Planning Commission consider the attached photos and the images on page 11 of the Parker Report. Both reflect that the present barn and the one which will be built are barely visible from the northwest corner of Ocean and "C" street, which has been determined to be the primary view shed of the Cass complex. It is this view shed that we are working so hard to save. From this vantage point roughly 25' to 30' of the front portion of the barn is/will be visible. This renders the missing section in the rear undetectable. Attached there are 2 photos reflecting a missing section of roof almost identical to that being proposed. Both photos are of structures that are 28' feet high. Both photos are taken from ground level. They further demonstrate that even if a person were to move themselves around to the rear portion of the South side of the barn they would have to be very far away to see this detail. The closer a person gets close to the structure the harder it will be to see.

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Cayucos

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Sept. 13, 2004

CITIZENS ADVISORY COUNCIL
P.O. BOX 781 • CAYUCOS, CA 93430

Mike Wulkan
Senior Planner
County Building & Planning Dept.-San Luis Obispo
County Government Center
San Luis Obispo, CA 93407

Mike:

This letter is being transmitted to you as a follow-up to the Randall Dennis project regarding the Cass Barn, DRC2003-00032, located at 250 Ocean Avenue [APN 064-094-0321]. The client is requesting a variance for a proposed single family residence to reduce the required side setbacks from 5 feet to 3 feet, and to increase the allowable height from 28 feet to 32 feet in order to allow for a cupola to house mechanical equipment for a lift within the proposed structure. A MUP is also being requested, for the proposed project, in that it is in an area zoned for multi-residential family use, and through the demolition and reconstruction of the Cass Barn, a new single family resident is being requested.

The client, and/or their representative were asked to come, on two separate occasions to two Land Use Committee Meetings [one in July and another in August], as well as to two Cayucos Citizens Advisory Council Meetings [August and September]. Unfortunately the client attended none of the four opportunities to present and more fully discuss the project with committee and advisory members, as well as other invited concerned neighbors regarding concerns for the proposed project.

After much discussion, all agreed that the current building poses a hazard as it is because of decay and deterioration. All agreed that they would definitely like to see it replaced. If it could not be replaced as an exact historical replica, then whether it is as a SFR or MFR made little difference. However, from that point on there were many concerns, lots of discussion, an on-site visit, along with talking and meeting with the neighbors. It was through all of this, that ultimately both the Land Use Committee, and the Citizens Advisory Council could not support this project's variance request. Everyone agreed that since this particular project will completely demolish the existing historical barn in order to rebuild an entirely new single family residence in its place, ALL existing heights, setbacks, and other Estero Area Plan standards **should be met with no exceptions**. The proposed new structure does not reflect any historical resemblance to the original old Cass Barn. The presence of several highly visible skylights, the windows along the south and north side, as well as the numerous windows and openings on the east elevation, the cupola, etc. do not lend themselves to looking like the original barn, other than for the basic outline or shape of the structure. We could not see otherwise where any historic integrity of the original barn was being preserved.

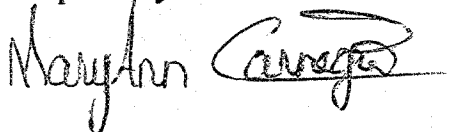


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The Land Use Committee and the Cayucos Advisory Council DOES NOT SUPPORT the requested variance for additional height and reduced side setbacks. The MUP for a single family residence was acceptable.

Should you have further questions or concerns please feel free to call me.

Respectfully Submitted,



Mary Ann Carnegie
Chair, Land Use Committee
995-3659

P.S. Some additional comments regarding the reduced side setbacks and height.

- The barn is located in a flood plain and will have additional fill brought in to raise its height 5 feet from the current ground level, thereby changing it even more from a historical perspective
- the cupola to house the elevator is likewise non-historical
- a few years back the County required the immediate neighbor to convey property to the owner of the barn to allow the structure to remain the same footprint when another preservation project of the barn was being considered, but the barn was not going to be demolished. Now that it will be completely demolished, the footprint should become "conforming" to all standards and possibly consider having the conveyed portion of that property be re-conveyed to the original property owner.
- per a "cultural Resource Investigation of the Dennis Parcel 064-094-023" prepared 9/29/99 by Parker & Associates/Field & Research Archaeological Studies several concerns on the historical preservation were researched
 - though not a remarkable structure, the Cass Barn has historical significance
 - originally the barn was only 53' x 53' [1876]; 10 more feet were added in front in 1885
 - if the structure is demolished—it is not repaired, rehabilitated or restored. Through a demolition it is not even constructing an "exact" replica, with NO alterations. Therefore it does impact the "look and feel" of the Cass Historic District, and of the original Cass Barn.



~~1-31~~ 5-79
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

M Wulkan

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

Feb. 11, 2004

FROM

Public Works

FROM
6

Coastal Team

(Please direct response to the above)

MUP
DRC 2003-00032 / Dennis, R.A.
Project Name and Number

FEB 25 2004

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: Demolition and reconstruction of CASS House
Barn - zoned RMF - (use to SFH)

Return this letter with your comments attached no later than:

Feb. 25, 2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval - IF NEW USE IS Residential AND needs is
off Alley, insure Alley is improved to meet Fire Dept requirements.
Drainage Plan

05 MAY 2004
Date

GOODWIN
Name

5252
Phone

5-80

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR



MW

THIS IS A NEW PROJECT REFERRAL

DATE: Feb. 11, 2004 ATTN: Bill Radke

TO: Cayucos Fire -

FROM: Coastal Team
(Please direct response to the above)

MUP
DRC 2003-00032 / Dennis, R.A.
Project Name and Number

Development Review Section (Phone: 781-789-2009)

PROJECT DESCRIPTION: Demolition and reconstruction of CASS House
Dawn - Zoned RMF - (use to SFH)

Return this letter with your comments attached no later than:

FOR THE
FOR THE
Feb. 25, 2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

- ✓ ENTIRE PROJECT WILL NEED FIRE SPRINKLERS MEETING NFPA 13 D STANDARDS.
- ✓ PLEASE ENSURE SIDE SETBACKS ARE ADEQUATE & MAINTAINED.

3-10-04
Date

Bill Radke
Name

995-3372
Phone



1-34 5-81

FOR OFFICIAL USE ONLY (mw)

COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-227

DATE: 12/16/04

PROJECT/ENTITLEMENT: Dennis Minor Use Permit/Costal Development Permit/Variance
(DRC2003-00032, DRC2003-00075)

APPLICANT NAME: Randall Dennis

ADDRESS: 340 Kings Ave., Morro Bay, CA 93442

CONTACT PERSON: Same as applicant

Telephone: (805) 471-5089

PROPOSED USES/INTENT: A request by Randall Davis to allow for 1) reduction of the side yard setbacks from five feet to four feet 11 inches, and the rear yard setbacks from ten feet to 3 feet, and 2) the demolition of an existing barn to establish an approximate 4,600 square-foot single-family residence, which will result in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel that is currently developed with an approximately 900 square-foot commercial building and a parking area. The proposed project is within the Residential Multi-Family land use category. The site is in the Estero Planning Area

LOCATION: The project is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on December 30, 2004

30 DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☒ **Lead Agency**
☐ **Responsible Agency** approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Mike Wulkan

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

1-375-82



COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Dennis Minor Use Permit/Coastal Development Permit/Variance
ED 04-227/DRC2003-00032, DRC2003-00075

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation.
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mike Wulkan

Prepared by (Print)

Mike Wulkan

Signature

12/2/04

Date

Steven McMasters

Reviewed by (Print)

Steven McMasters

Signature

Ellen Carroll,
Environmental Coordinator
(for)

12/1/04

Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Randall Dennis for a Minor Use Permit/Coastal Development Permit/Variance to: a) allow demolition of the Cass barn, b) allow construction of an approximately 4,600 square-foot single-family residence in its place, including an approximately 1,200 square-foot garage on a portion of the lower level, c) reduce the required side yard setbacks from five feet to four feet, 11 inches, and d) reduce the required rear yard setback from 10 to three feet. The project will result in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel that is currently developed with an approximately 900 square-foot commercial building and a parking area. The proposed project is within the Residential Multi-Family land use category and is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area.

ASSESSOR PARCEL NUMBER(S): 064-094-032

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Cayucos

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): Local Coastal Plan/Program, Flood Hazard

EXISTING USES: Commercial use, Cass barn

TOPOGRAPHY: Nearly level

VEGETATION: Ornamental landscaping

PARCEL SIZE: 7,900square feet

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Multi-Family; residential

East: Commercial Retail; residential

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South: Recreation; parking lot	West: Residential Multi-Family; residential
--------------------------------	---

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, two issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located within an urban area adjacent to existing commercial development and residential development of a similar scale, is located on the inland side of North Ocean Avenue, and will be visible from that street, a major public roadway.

Impact. No significant visual impacts are expected to occur, because the project is consistent with adjacent development of a similar nature, will comply with height limitations of the Estero Area Plan, and will not affect public views to and along the coast.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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2. AGRICULTURAL RESOURCES

- Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

c) *Conflict with existing zoning or Williamson Act program?*

☐☐☐☒

d) *Other* _____

☐☐☐☐

Setting.

Cropley clay (2-9%)

The project is located in an urban area in the Residential Multi-Family land use category. There are no existing or adjacent agricultural uses.

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "II", and the "irrigated soil class is "III".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
----------------------------	--------------------------------------	-------------------------	-------------------

a) *Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?*

☐☐☒☐

b) *Expose any sensitive receptor to substantial air pollutant concentrations?*

☐☐☒☐

c) *Create or subject individuals to objectionable odors?*

☐☐☐☒

d) *Be inconsistent with the District's Clean Air Plan?*

☐☐☒☐

e) *Other* _____

☐☐☐☐

Setting. The Air Pollution Control District has developed the CEQA Air quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. In order to evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 3,400 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day

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of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Ornamental landscaping
Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

Habitats: None

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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5. CULTURAL RESOURCES -
Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

d) Other _____

☐ ☐ ☐ ☐

Setting. The project is located in an area historically occupied by the Obispeno Chumash. The site is occupied by the 1876 Cass barn. No known paleontological resources are known to exist in the area.

The Cass barn is considered to be of historical significance due to its relationship to the other buildings that comprise the Cass complex of buildings, including the Cass house, Cass barn and outbuildings (Parker & Associates, 1999). This complex comprises a recorded archaeological site that is also listed in the California Inventory of Historic Resources (DPR 1976). The site meets the following criteria in the State guidelines (Title 14, Public Resources Code, Section 4852 b and c) for determining significance of a cultural resource: 1) it is associated with the lives of persons important to local, California or national history (James Cass), and 2) it has yielded, or has potential to yield, information important to prehistory or history of the local area, California or the nation.

Impact. A surface survey was conducted for the subject property (Greenwood, 1985). No evidence of prehistoric cultural materials was noted on the property, but the background research and field inspection confirmed the existence of the 1876 Cass barn. No paleontological resources are known to exist in the area. Impacts to prehistoric cultural or paleontological resources are not expected.

Because the Cass barn is considered to be an historic structure, demolition of the barn would result in a potential adverse, significant impact. However, the structure lacks sufficient integrity that would allow for re-use/rehabilitation. A report by a structural engineer (Charles E. Moore, November 2004) determined that preserving and restoring the existing barn for either storage or residential use is not feasible. The engineer concluded that the structural members of the building are inadequate and the building lacks structural integrity, the building is a fire and safety hazard, almost none of the building materials are salvageable, and the building should be completely demolished. Therefore, salvaging the existing barn is not a feasible alternative.

Demolition of the barn will result in a loss to the overall appearance and make-up of the "Cass complex," and will result in a loss of historic information.

Mitigation/Conclusion. No significant impacts to paleontological resources are expected, and no mitigation measures for those resources are necessary.

The proposed development is unlikely to impact prehistoric cultural resources; however due to the close proximity to Cayucos Creek and its estuary, where there is a higher likelihood of encountering buried, isolated resources or artifacts, monitoring by a qualified archaeologist during grading and earth disturbing activities will address this potential impact and reduce it to a level of insignificance.

Demolition of the historic Cass barn is potentially significant, but the project will be required to incorporate measures (recommended in the Cultural Resource Investigation of the Dennis Parcel prepared by Parker & Associates) to reduce potentially significant impacts to historic resources to a level of insignificance. Because the key historic elements in this case are the context of the building in relation to the Cass complex and information related to construction of the structure, the mitigation measures aim to recreate the "look and feel" of the original structure and establish an historic record of the original structure. The proposed location of the new structure will preserve the prominent visual status of the Cass House along North Ocean Avenue. The required mitigation measures are as follows:

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- a) Prior to demolition, the historical background of the structure shall be researched; measurements, detailed photographs, and structural samples shall be collected; and archaeological mapping of structural details and related artifacts shall be conducted (see attached Developer's Statement).
- b) All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist/historic resource specialist (see attached Developer's Statement).
- c) Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original. If used, composite shingles shall mimic the color and texture of the original shingle roofing. The new structure shall be either white or "barn red." (see attached Developer's Statement for the preceding measures)
- d) The proposed design of the new structure includes the following mitigation measures: windows on the sidewalls shall mimic the original horse stall doors. One or two unobtrusive windows shall be installed in place of the loft doors. Skylights shall be located on the side of the roof that slopes away from the Cass house.
- e) The proposed design of the new structure includes the following features that help satisfy the preceding mitigation measures and that help retain the original look of the Cass barn.
 - 1) The size will be similar to the Cass barn, and the proportions and the shape will be the same.
 - 2) The location on the site will be similar to the Cass barn. The proposed Variance to allow a rear yard setback of three feet instead of the required 10 feet will help enable the new structure to both maintain the proportions of the Cass barn and be located within the barn's footprint
 - 3) Any usable exterior siding will be preserved and reused by attaching as single, vertical planks.
 - 4) Loft doors and the main sliding barn doors will be recreated on the south elevation.
 - 5) Horse stall windows will be recreated on the east and west elevations.
 - 6) Skylights will be on the west elevation away from the Cass house.

Incorporation of the preceding measures will reduce the potential impact to a level of insignificance.

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6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered negligible. The liquefaction potential during a ground-shaking event is considered high according to the Safety Element. However, a geotechnical report prepared by Mid-Coast Geotechnical in January 2000, together with a follow-up letter in November 2004 regarding liquefaction potential, concluded that the likelihood of liquefaction is very low. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

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DRAINAGE – The area proposed for development is within the 100-year Flood Hazard designation. The closest creek to the proposed development is approximately 250 feet to the west. As described in the NRCS Soil Survey, the soil is considered moderately-well drained. For areas where drainage is identified as a potential issue, the CZLUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil type is
(2-9%)

Cropley clay

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility, and high shrink-swell characteristics.

Impact. As proposed, the project will result in the disturbance of approximately 3,400 square feet and exposure of the proposed dwelling to potential flood hazards.

Mitigation/Conclusion. The proposed residential structure will be subject to the Flood Hazard Area standards of the Coastal Zone Land Use Ordinance. Those standards include a requirement that the ground floor be constructed at least one foot above the 100-foot storm flood profile level. The applicant is proposing to use fill and a slab foundation to elevate the structure above the flood level. In this case, based on a drainage plan, the structure needs to be elevated about three feet above the natural grade. There is no evidence that measures above what will already be required by ordinance or by code are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project is located within about 250 feet of the site of a past underground tank leak at the site of a gas station that has since been remediated and that is being monitored by the Regional Water Quality Control Board. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials, and should not be affected by potential underground pollution from past leakage of a gas tank, as the source of domestic water is Whale Rock Reservoir, not an on-site well. Furthermore, according to a geotechnical report prepared by Mid-Coast Geotechnical in January 2000, groundwater levels range from 5.5 to 7.5 feet in depth, but excavation for the project is not expected to occur at those depths. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is adjacent to North Ocean Avenue, which is not identified as a transportation noise source in the *Noise Element* of the County General Plan. The retail commercial use on the same property is not an intensive use, has hours of operation that are limited by ordinance, and will not generate a significant amount of traffic or noise. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

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9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in the Residential Multi-Family land use category and on the same site as an existing commercial use. Development of multi-family dwellings that could provide opportunities for affordable housing on this site in compliance with ordinance requirements for parking and open space would be difficult to achieve due to limited site area. In its efforts to provide for affordable housing, the county currently administers a Community Development block Grant Program that provides grants to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

- | | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Solid Wastes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project area is served by the County Sheriff's Department and the Cayucos Fire Protection District as the primary emergency responders. The closest fire station is less than two blocks away on Cayucos Drive. The closest Sheriff substation is in Los Osos, which is between five and 10 miles from the proposed project. The project is located in the Cayucos Elementary School District and the Coast Unified School District (for high school).

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Increase the use or demand for parks or other recreation opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Affect the access to trails, parks or other recreation opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

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**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public roads: Cayucos Drive (a collector street) via the alley between North Ocean and Ash Avenues. Cayucos Drive is currently operating at an acceptable level of service, and is expected to operate at an acceptable level at buildout under the proposed Estero Area Plan, according to the certified Final EIR for the area plan update. A referral was sent to the Public Works Department, and no significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of about 10 trips per day/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

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13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will generate approximately 175 gallons per day of effluent. The project proposes to connect to the existing community sewer system, the effluent from which is treated at the Morro Bay treatment plant.

Impact. A conditional "will-serve" letter has been received from the Cayucos Sanitary District. According to the certified Final EIR for the Estero Area Plan update, there is sufficient wastewater treatment plant capacity at the Morro Bay treatment plant, both today and at buildout under the proposed Estero Area Plan, considering wastewater flow from both Cayucos and Morro Bay.

Mitigation/Conclusion. No significant wastewater impacts were identified, and no mitigation measures are necessary.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project will use a total of about 0.2254 acre-feet of water per year. The project is to connect to a community water system operated by the Morro Rock Mutual Water Company. The water purveyor may participate in the proposed Lake Nacimiento water project in order to obtain supplemental water.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 250 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Impact. The Morro Rock Mutual Water Company has issued a "will-serve" letter. If supplemental water is needed to serve future buildout, the water purveyor has the ability to participate in the proposed Lake Nacimiento water project.

As proposed, the project will result in the disturbance of approximately 3,400 square feet. No grading is proposed other than that for excavations for footings and a foundation.

Mitigation/Conclusion. Since no potentially significant water quantity impacts were identified, no specific measures are necessary. Standard drainage measures will be required for the proposed project that will adequately protect surface water quality. No additional measures are necessary. Potential water quality impacts are either insignificant or will be reduced to less than significant levels through existing ordinance requirements.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed single-family residential use is compatible with the surrounding uses, because they are low-intensity uses consisting of single-family dwellings, a proposed bed and breakfast facility, and a small commercial retail use with limited hours of operation on the same site.

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The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Coastal Zone Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (Cayucos Fire Protection District for Fire Code). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project includes a Variance to: a) reduce the required side yard setback from five feet to four feet 11 inches, and b) reduce the rear yard setback from 10 to three feet. Findings could be made to justify the rear yard setback Variance, but not the side yard setback. In any case, however, the Variance requests are not inconsistent with policy and/or regulatory documents relating to the environment and appropriate land use, and will not result in incompatible land uses.

The project is not within or adjacent to a Habitat Conservation Plan area

Mitigation/conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Cayucos Fire Protection District</u>	Attached
<input checked="" type="checkbox"/>	Other <u>Cayucos Sanitary District</u>	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Cultural Resource Investigation of the Dennis Parcel, APN 064-094-023, 250 North Ocean Ave., Cayucos, CA-SLO-1214H, Parker & Associates, September 29, 1999

Letter from Charles E. Moore, Civil Engineer, regarding structural integrity of the barn, November 9, 2004

Geotechnical Engineering Report, Proposed Commercial Remodel, 250 North Ocean Avenue, Cayucos, Mid-Coast Geotechnical, Inc., January 17, 2000

Site Liquefaction and Slope Stability Potential, Mid-Coast Geotechnical, Inc., November 2004

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Exhibit B - Mitigation Summary Table

Cultural Resources

Prior to issuance of a construction permit for demolition of the barn, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

At the time of application for construction permits, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red. If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to final inspection.

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November 30, 2004

**DEVELOPER'S STATEMENT FOR DENNIS
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT/VARIANCE;
ED 04-227/DRC2003-00032; DRC2003-00075**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

CULTURAL RESOURCES

Prior to issuance of a construction permit for demolition of the barn, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined

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by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.


Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

At the time of application for construction permits, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red. If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to final inspection.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

Date 12-6-04

Name of Owner – Print